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No. 24] NEW DELHI, SATURDAY, JUNE 11, 1977/JYAISTA 21, 1899

इस भाग में विभिन्न पृष्ठ संलग्न ही जानी है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—च्छ-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

‘रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य बोर्ड प्रशासनों को छोड़कर) केन्द्रीय प्राधिकारियों द्वारा जारी किये गए साधितिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

भारत निर्वाचन प्रायोग

आदेश

नई विल्ली, 19 मई, 1977

अतः यद्यु, उक्त प्रक्रियम की घारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्वाचन प्रायोग उनकी निरहंता को इसी समय से हटाता है।

[सं० 76/उ०प्र०-वि०स०/77(4)]

ए० एन० मैन, सचिव

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 19th May, 1977

S.O. 1860.—Whereas Shri Ram Shiromani Misra village & P.O. Jamunipur, District Allahabad, Uttar Pradesh a contesting candidate for general election to the Uttar Pradesh Legislative Assembly from 270-Jhusi Assembly constituency, held in February, 1974, was disqualified by the Election Commission vide its Order No. UP-LA/270/74(513), dated 5 January, 1976 under section 10A of the Representation of the People Act, 1951 for the failure to lodge an account of his election expenses as required by the said Act and the Rules made thereunder;

And whereas the District Election Officer, Allahabad has now reported to the Commission that Shri Ram Shiromani Misra has since lodged his account of election expenses in

उक्त अकिल की रिपोर्ट को द्वारा में लागे हुए, निर्वाचन प्रायोग का यह समाप्त हो गया है कि श्री राम शिरोमणि विधि के ताम देशी न्यूनत के लिए पर्याप्त कारण थे;

the manner required by law for removal of his disqualification;

Whereas the Election Commission in view of the report of the said Officer is satisfied that Shri Ram Shiromani Misra had sufficient reasons for such default;

Now, therefore, in exercise of the powers conferred by Section 11 of the said Act, the Election Commission hereby removes his disqualification with immediate effect.

[No. 76/UP-LA/77(4)]

A N S P N, Secw

नई विल्ही, 25 मई, 1977

कांग आ० 1861—नोंक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की धारा 13-क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, भारत निवासिन आयोग गुजरात सरकार के परामर्श से श्री बी० सी० माल के स्थान पर श्री आर० श्री० चत्क्रामीली, मणिव, गृह विधाया, गुजरात सरकार को नारीख 17 मई, 1977 से गुजरात राज्य के निए पुल्य निवासिन आफिसर के रूप ने अगले शादेशी तक एनदाटारा नाम निर्देशित करता है।

[મો ૧૯૪/ગુજરાત/૭૭]

प्र० कृ० मिश्र, मध्यिका

New Delhi, the 25th May, 1977

S.O. 1861.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act 1950 (43 of 1950), the Election Commission of India, in consultation with the Government of Gujarat, hereby nominates Shri R. V. Chundramouli, Secretary to Government, Home Department as Chief Electoral Officer for the State of Gujarat with effect from 17 May, 1977 and until further order & vice Shri B. C. Maru.

[No. /CP/77]

P. K. MISRA, Secy.

विधि, न्याय और कम्पनी कार्य मंत्रालय

(कर्मचारी कार्य विभाग)

ପିଲା

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काहा० आ० १८६२ २११ (ह) ——केरल स्टेट स्पॉन इंडस्ट्रीज कारपोरेशन लिमिटेड किनेन्द्रम, कम्पनी अधिनियम, १९५६ (१९५६ का १) की धारा ६१७ के अधीन गणितिक प्रभाग एक मरकारी कम्पनी है जो २१ जुलाई, १९६१ को निर्गमन की गई है, जिसके द्वारा पूर्णतः केरल राज्य मरकार के स्वामित्व के अधीन है और जो सम्पत्ति केरल राज्य के विभिन्न इंडस्ट्रियल स्टेट है, मेरनियम औद्योगिक एकक चानाने तथा नष्ट उत्पादों को बुनांभ करना भाल उत्पाद और प्रस्तुत करने और उस राज्य मेरन उत्पादों की स्थापना और विकास के लिए अधिकार मर्यादा और मर्यादी भाग्यन्धी विभिन्न पर्यावरणों को साझेकर करना कारबाह गर्नी है।

श्रीरामेश्वर के गत पांचवासामें श्रोमोगा कारपारेश्वर लिपिटेक लिखवेन्द्रभ
भी जिसे 23 जून, 1971 को तिरमिसु फिल्म गाया है, एक गरकारी
फ़िल्म है जो पर्वत के गत सभी मरहार के चारित्व के प्रस्तुत है श्रीरा-

भव्यति उद्यापकर्ता पथ जना ॥ २६०ग्रा और जी न वर्तने में श्रीरामिक उद्योगों को जितने अप्तित कार्य अवसर प्रदान किए जा सके प्रोत्साहन करने सम्भा राज्य के अनेकों शिक्षित ऐंगोजगर्णों को कार्य प्रारम्भ करने में मदद करने में लगी हुई है,

प्रौद्योगिकी विद्यालय द्वारा आयोजित एक प्रमुख अवधारणा कार्यपालिका में शामिल होने का लिया गया है। इसका उद्देश्य यह है कि यह विद्यालय के छात्रों ने अपनी विद्यालयीन वर्ष के दौरान सभी विद्यालयीन विधियों को जानकारी प्राप्त कर सकें। इसका उद्देश्य यह है कि यह विद्यालयीन विधियों को जानकारी प्राप्त कर सकें।

श्रीर केरल गवर्नर ने केरल स्टेट स्पॉर्ट्स इंस्ट्रीज डेवलपमेंट एण्ड अप्पनायमेंट कारपोरेशन लिमिटेड को राज्य में पाच वर्ष की अवधि के भीतर 10,000 लघु उद्योगों का स्थापना करने, प्रोत्स्थित करने श्रीर स्थापना करने में मदद करने के विशाल कार्यक्रम प्रा भार भीषा है श्रीर केरल सरकार ने उन्हीं उद्योगों की पूर्णि के लिए जाऊओ०एम०एम० से २५०/७५ आई०जी० ताराक्र १ अक्टूबर, १९७५ के प्रारंभ द्वारा केरल स्टेट स्पॉर्ट्स इंस्ट्रीज कारपोरेशन लिमिटेड और केरल पृथिव्यमेंट प्रोमोशन कारपोरेशन लिमिटेड का केरल स्टेट स्पॉर्ट्स इंस्ट्रीज डेवलपमेंट एण्ड अप्पनायमेंट कारपोरेशन लिमिटेड के साथ समायेन का आदेश दिया है,

ओर केरल सरकार ने अपने पत्र में 28127/डी-4/15-आई-डी सारीष 24 अक्टूबर, 1975 द्वारा कम्पनी विवि बोर्ड के पास कम्पनी अधिनियम, 1956 (1956 का 1) को धारा 396 के अन्यरण में आदेश करने का आवेदन किया था। आवेदन पर चिकारा किया गया और उस धारा के अधीन जारी किए जाने के लिए प्रस्तावित आदेश का प्राप्तनीनों कमानियों से, जो प्रस्तावित समामेलन को पक्कार हैं, में से प्रत्येक का भेजा गया और उन्हें अपना मुआव और आधार प्रगत करने का पर्याप्त अलगा किया गया;

और कम्पनी विधि थोड़े का समाधान हो गया है कि जारी हित में नीचे यसकारी कम्पनियों को, जो अषु उद्योगों के विकास और रोजगार के प्रयत्न में लाभी हुई हैं एक कम्पनी में समामेलित हो जाना चाहिए;

अग्रः अब, भारत मरकार के कमानी कार्य विभाग का अधिकृतना सं० स०का०नि० 443 (प्र०) भारत 18 अक्टूबर, 1972 के माय पठित कमानी अधिनियम, 1956 (1956 का 1) की भाग 396 की उपधारा (1) और (2) द्वारा प्रदत्त यत्क्षयों का प्रयाग करते हुए कमानी विधि बोर्ड भिस्मालिखित आदेश करता है, अर्थात्:—

१ संक्षिप्त नाम.—हम प्रांत का नाम केरल स्थानीय हिन्दूज और इवासपमेट प्रांतोंने कारपोरेशन समावेलन प्रांत, १९७७ है।

2. परिभाषा।—इस आदेश में, जब तक संदर्भ से अन्यथा प्रोक्षित नहीं—

(क) 'नियन दिन' से यह नारी अभियंत्र है, जिसको यह आदेश ग्राहक में अधिसमिति किया जाएगा;

(ब) 'अन्तर्रक कामनी' में केरल स्टेट स्पैल हंडस्ट्रोज़ कारपोरेशन लिमिटेड, और केरल प्रम्पलायमेंट प्रोमोशन कारपोरेशन निःशुल्क भेजें।

टिप्पणी —— इस आदेश का अर्गेंजी सम्करण भारत के अभाष्टारण राजपत्र के भाग II, खण्ड 3, उप खण्ड (ii) में तारीख 18-3-77 में प्रकाशित हुआ था।

(ग) 'अन्तरिक्षी कम्पनी' में कोरल स्टेट म्पाल इडम्स्ट्रीज डेवलपमेंट एण्ड एप्पलायमेंट कारपोरेशन लिमिटेड अधिकृत है।

३ कम्पनियों का समावेशन —नियत दिन से अस्तरक कम्पनियों के सम्पूर्ण उपकरण उनके विलगम, यदि कोई हो, महिने प्रत्यन्तरिका कम्पनी को अन्तरित और उभये निश्चित हो जाएँ।

गण्ठीकरण — ग्रन्तरक कल्पनियों के उपकरणों में ऐसे सभी अधिकार, शक्तियाँ, प्राधिकार, विशेषाधिकार तथा सभी संपत्ति जो हैं वह ज़ंगम हो या स्थानकर जिसमें नकद अनियोप, आरक्षिया, राजस्व, राजस्व अनियोप, अधिकार और ऐसी संपत्ति में या उसमें से उद्भूत होने वाले प्रवृत्त सभी हित और अधिकार मिमिति हैं जो नियन विन में ठाकुर पूर्व ग्रन्तरक कल्पनियों के या उनके कर्जे में हो और उनमें सम्बद्धित सभी वहियों, लेख, दस्तावेज तथा उनमें समय विशेषत ग्रन्तरक कल्पनियों के सभी उड़ग वायिन्द और किसा तरह की वाध्यताएँ भी मिमिति होंगे।

४. स्वाति को कनिया मर्दों का अन्तरण—हृषि आदेश के प्रयत्नों के लिए नियत दिन को अन्तरग काम्पनियां के सर्वो नाम या हानियां, गदि कोई दो या दोनों और अन्तरग काम्पनियों का राजस्थ आरक्षियों या घाटे यदि कोई हो, या दोनों जब समामेलन स्कीम के अधीन भी इस आदेश के उपबन्धों के अधीन अन्तरिती काम्पनी का अन्तरित किए जाएँ, तब हम समामेलन में उत्पन्न होने वाले अन्तरितों कम्पनों के क्रमश वाभ, या हानियां, यत्रि कोई दो, या दोनों और राजस्थ, आरक्षियों या घाटे का अंग बन जाएँ।

5. सविदाओं प्रार्थि की शब्दानुनिष्ठा—इन आदेश में के अन्य उपबन्धों के अवैध रहो हुए, तिवार दिसे के ठोक पूर्ण प्रस्तुत्यव्यक्त या प्रभावी मर्मी सविदाएँ, विवेक, बन्धनात्र, करार और किपा भा प्रकृति को अन्य ऐसी लिखितें, जिनका अन्तरक-कम्पनिया पश्चात्तर है, यामिष्टि, अन्तरिनी कम्पनीयों के यिहङ्ग या उसके पश्च में उन्हें त्रौ पूर्णतया प्रवृत्त और प्रभावणाशी होगे और उसमें ही पूर्ण रूप से और प्रभावी रूप में प्रवर्तित किए जाएंगे मानों अन्तरक कम्पनियों के स्थान पर अन्तरिनी कम्पनी ही उसमें पश्चकार रही।

६ विधिक कार्यथाहियों का व्याख्यान—यदि नियत दिन को अन्तरक कम्पनियों द्वारा या उनके विकल्प कोई वाद, अपाल या किसी भी प्रकार की अन्य विधिक कार्यथाहियां, लम्बित हों तो अन्तरिक्षी कम्पनी के अन्तरण या हम आदेश में अन्विष्ट किया जाने के कारण उनका उग्रमत नहीं होगा, उन्हें रोका नहीं जाएगा या उनपर किसी प्रकार प्रतिकूल प्रभाव नहीं पड़ेगा किन्तु वह वाद, अपाल पर अन्य कार्यथाहिया अन्तरिक्षी कम्पनी द्वारा या उनके विकल्प उसी रूप से और विस्तार तक नालू-रखा जा सकती है और प्रत्यनित की जा सकती जहा तक कि वे यदि यह आदेश नहीं किया गया होता तो अन्तरक कम्पनियों द्वारा या उनके विकल्प चालू, अधिकारियोंने जित और प्रवर्तित की जाती या की जा सकती।

७ अन्तर्रक्ष कम्पनियों के शेयरधारारों की वावत अन्तर्रण मम्बर्कों निबन्धन।—(i) खड़ ३ प्रैर ४ के प्रभागत पूर्वोक्त अन्तरण को ध्यान में रखने पर नियत हित के पश्चात याताणक्यर्णाद्या अन्तरिमी कम्पनी नियत हित में टाई पूर्व अन्तरक्ष कम्पनी में शेयरधारक के स्थान में राजस्थान कृष्णप्रयोग अन्तिम को अन्तरिम कम्पनी में उनने ही शेयर आवृटि करेगा। जिसने नियत हित के पूर्व अन्तरक्ष कम्पनी में उसके हांग धारियों के अकिञ्चित मन्त्र के समतुल्य है।

(ii) ग्रन्तरिती कम्पनी एवं प्रत्येक व्यक्तियों को जिसका नाम ग्रन्तरक शास्त्रियों में ऐयरधारकों के रजिस्टर में तिथि दिन से ठीक पूर्व दर्ज किया गया है, ताकि डारा एक नोटिस भेजेगी जिसमें उसे आवाटन ना ऐयरो का व्यूह तथा उसे ऐयरों के लिए आवाटन पत्र द्वारा दिया गया।

(ii) अन्तरक कम्पनियों का प्रत्येक गोपनीयारक (गिरिजा) नाम निम्न दिन से ठांक पूर्व अन्तरक कम्पनियों के बजेस्टों के रजिस्टर में दर्ज हो।

उत्तम्भव (ii) में निर्विद्ध नोटिय प्राक्षेवन पक्ष और अन्तरक कम्पनियों में उसके द्वारा धारित शेयरों में सम्बन्ध का योग्य प्रभाणपत्रों को प्राप्त करने के दो महाने के भी भी अन्तरित कम्पनी से सम्बद्ध अनुक्रम में उसे आवंटित किए गए शेयरों को द्वावत शेयर प्रभाणपत्र पापान करने का हक्कदार होता।

(iv) उपराष्ट्रण (iii) में विनिश्चित कोई प्रधिकार, जिसने दिन से प्रारम्भ होने वाला और उस दिन के जरूर अन्तरित करनी अन्तरक कम्पनियों के शेयरधारकों की नया शेयर प्रमाणपत्र देता है, ठीक पूर्व दिन को गमाल होने वाली प्रवधि के द्वारा, उसी प्रकार अन्तरण्याम दोगा जिस प्रकार अन्तरिती कम्पनी के शेयर अन्तरण्याम है और ऐसे अधिकार का अन्तरित यद्यपनव अन्तरक कम्पनी के हो, मध्यस्थित जेरुर प्रमाणपत्र और अन्तरण्याम यद्यपनव, द्वारा देवों के अन्तरण्याम को नारंग द्वारा नह दिनों के भौतिक-उपस्थिति करने पर अन्तरिती कम्पनियों से उगा पकार और उसी यिस्तार तक शेयर प्रमाणपत्र प्राप्त करने का हकदार होया जाय तक प्रलिङ्गित हकदार होता।

८ कर्गधार के बारे में उपबन्ध - नियम दिए के पूर्व अन्तर्कालीनियों द्वारा किए गए कारबाह के नाभी और अभिनाशी के बारे में मर्मी कार अन्तर्गत, कम्पनी द्वारा उभे विभाग तक मर्मदेय होगे जहाँ तक कि वे, परिषद् शास्त्रेण न किया गया हूँता तो, अन्तर्कालीन कम्पनियों द्वारा मर्मदेय होते।

५ अन्तरक कम्पनियों के विवरान प्रतिक्रिया और अन्य कम्पनियों के बारे में उपबन्ध.—अन्तरक कम्पनियों में नियत दिन के ठीक पूर्व नियोजन प्रदेशी प्रविकारी या अन्य दर्वाजे जिएं उस प्रसिद्धक के भीतर अन्तरक कम्पनियों के पर्याकरण भी सम्भवित है किन्तु अन्तरक कम्पनियों के नियोजक हों, नियत दिन में, यात्रियों अन्तरिती कम्पनी का प्रविकारी या अन्य कम्पनी हो जाएगा और उसी प्रवधि तक और उसी नियोजनों और जांचों पर तथा उसी प्रविकारी और विशेषाधिकार पर महिल उसमें प्राप्त आठ करोड़ रुपयों के बारे में करणा जाकि उस यदि मह आठ त किया गया होता तो अन्तरक कम्पनी के अवश्य प्राप्त होता और उसका ऐसा होना तक तक जापन रहेगा जब तक कि उसे अन्तरिती कम्पनी के नियोजन से सम्बन्ध रूप से निकाल नहीं दिया जाए या जब तक कि नियोजन सम्बन्धी शर्तें पारम्परिक सम्भवित से या इस नियित प्रक्रिया के प्रभावार सम्बन्ध रूप से परिवर्तित न कर दी जाए।

(१०) निवेशकों का स्थिति—निवार दिन के टार्फ युवा अन्तर्रक्ष कम्पनियों में निवेशक को हैमियत में आगा पद बाराग करने वाला प्रत्येक निवेशक नियत दिन का उन्न कम्पनियों का निवेशात् नहीं रह जाएगा।

11. केरल स्टेट स्पोर्ट इन्स्टीट्यूशन नामांत्रिक लिमिटेड और कर्णप्रदेश एस्प्लाईमेंट प्रोमोशन कारंपोरेशन लिमिटेड का विवरण — (क) हम आदेश के अन्य उपबन्धों के प्रवर्तन रहने हुए नियम दिन में केरल स्टेट स्पोर्ट इन्स्टीट्यूशन कारंपोरेशन लिमिटेड और केरल एस्प्लाईमेंट प्रोमोशन कारंपोरेशन-लिमिटेड विवरण हो जाएंगा और काई भा वर्त्तक विवरित कर्मचारियों के बिन्दु या ऐसे निवेशक या अधिकारी के बिन्दु उपका हिस्सा निवेशक या अधिकारी को हैमियर से, बड़ा तक के विवरण जटान। फि इन आदेश के उपबन्धों को प्रवर्तित करने के लिए अविष्यक हो, काई द्वारा नहीं करेगा या कोई माग नहीं करेगा या कोई कार्यवाही नहीं होगा, और

(क) विश्वासित कर्त्तव्यों में हिंसा गवर का बाधन प्रत्येक शेषर
धारक का अधिकार निर्विवित कर दिया जाएगा और तत्त्वानु कोई भी
ऐसा शेषरधारक फिसा नहीं शेषर का ताबड़ा काढ़ा दाढ़ा नहीं करेगा। या
कार्य समय तहीं करेगा या कोई कार्यवाहा तहीं करेगा।

१२ वर्षता, भीरुलद्वारा द्वारा प्राप्ति की जिसमें इसके कम्पनों विधि वार्ता इन प्राप्तियों के जारी रखने के पासात् विवाद उत्पन्न हो।

रजिस्ट्रार, केरल को इस प्रादेश की एक प्रति मेसर्स केरल स्पॉन हंडस्ट्रीज बेयलमेट एप्लायेमेट कारपोरेशन लिमिटेड के संगम के ज्ञापन की मुद्रित प्रति के माथ भेजेगा जिसकी प्राप्ति पर रहस्यना रजिस्ट्रार केरल—

- (i) अन्तरिती कम्पनी द्वारा विहित कास के सदाय किए जाने पर प्रादेश का रजिस्ट्रीकृत करेगा और आवेदन के प्रति का प्राप्ति की तरीका से एक मास के भीतर स्वहस्ताक्षर से रजिस्ट्रीकरण प्रमाणित करेगा; और
- (ii) अन्तरिती कम्पनी के मगम के ज्ञापन में आवश्यक परिवर्तन यदि कोई हो, करेगा।

नई दिल्ली, तारीख 15-4-77

[सं० 24-28/75-स०गल० III]
प्र० बी० मेनन, सबस्य-कम्पनी विधि बोर्ड

(प्राय विभाग)

नई दिल्ली, 25 मई, 1977

भोटिस

का० आ० 1863—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज रुल्स), 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूनता दी जाती है कि उक्त प्राधिकारी को श्री श्रीकृष्ण लाल अग्रवाल बकील प्यास गज, बरेली, उत्तर प्रदेश ने उक्त नियमों के नियम 4 के प्रवीन, बरेली न लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिए आवेदन-पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियां हों तो वे इस नोटिस के प्रकाशित हान के चौदह दिन के अन्तर जीवे हस्ताक्षर करने वाले का लिख कर मेज दिये जायें।

[सं० 22/४१/७८-न्याय]

प्रार० वासुदेवन, सक्षम प्राधिकारी

MINISTRY OF LAW JUSTICE & COMPANY AFFAIRS (Dept. of Justice)

New Delhi, the 25th May, 1977

NOTICE

S.O. 1863.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Srikrishna Lal Agarwala, Vakil, Shyam Ganj, Bareilly, (U.P.) for appointment as a Notary to practise in Bareilly

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 22/81/76-Jus.]

R VASUDEVAN, Competent Authority

विस मंत्रालय

(राजस्व और वैकिंग विभाग)

(राजस्व पक्ष)

नई दिल्ली, 14 अप्रैल, 1977

प्राय-कर

का० आ० 1864 — ग्राय-कर प्रधिनियम, 1961 (1961 का 13) की धारा 2 के उपलब्ध (44) के उपलब्ध (iii)

शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार सर्वश्री बी० एम० चिंचखली आर० एम० पार्थी, एम० जी० हरतालकर, एम० एम० बणेतकर और क० आर० शुरेफ की जो केन्द्रीय सरकार के राजपत्रित प्रधिकारी हैं, उक्त प्रधिनियम के प्रवीन कर वस्त्री अधिकारियों की नियुक्तिया का प्रमाण करने के लिए प्राधिकृत करनी है।

2. क्रमशः प्रधिसूचना सं० 584 (फा० सं० 404/108/74 आई टी सी सी, तारीख 9 अप्रैल, 1974), सं० 872 (फा० सं० 404/81/75 आई टी सी सी तारीख 15 अप्रैल, 1975), सं० 1114 फा० सं० 404/61/75-आई टी सी सी तारीख 1 मंगलवार, 1975, सं० 972 (फा० सं० 404/61/75-आई टी सी सी) तारीख 15 अप्रैल, 1975 द्वारा कर वस्त्री प्रधिकारियों के रूप में की गई क्रमशः ए० एम० बाज०, एम० बी० सेठ, एच० सी० अड्डमाला, पी० एन० बानी और एम० पी० कोमवाल की नियुक्तिया 1 मई, 1977 से रद्द की जाती है।

3. यह प्रधिसूचना 1 मई, 1977 से प्रवृत्त होगी।

[सं० 1723/फा० सं० 404/83/77-आईटीसार्मा]

MINISTRY OF FINANCE

Department of Revenue and Banking

(Revenue Wing)

New Delhi, the 14th April, 1977

INCOME-TAX

S.O. 1864.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises S/Shri B. M. Chinchkhani, R. M. Yardi, M. G. Hartalkar, L. S. Bagaitkar and K. R. Duraphe, who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act,

2. The appointments of S/Shri A. M. Vaze, M. V. Sathe, H. C. Adlakha, V. N. Wani and M. P. Kotwal made respectively under Notification No. 588 (F. No. 404/108/74-ITCC dated 9th April, 1974), No. 872 (F. No. 404/61/75-ITCC dated 15th April, 1975); No. 1114 (F. No. 404/61/75-ITCC dated 1st October, 1975), No. 872 (F. No. 404/61/75-ITCC date 15th April, 1975 and No. 872 (F. No. 404/61/75-ITCC dated 15th April, 1975) are hereby cancelled with effect from the 1st May, 1977.

3. This Notification shall come into force with effect from the 1st May, 1977.

[No. 17/23/F. No. 404/83/77-ITCC]

का० आ० 1865—केन्द्रीय सरकार ग्रायकर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के उपलब्ध (44) के उपलब्ध (iii) के अनुसर में और भारत सरकार के राजस्व और वैकिंग विभाग की प्रधिसूचना सं० 1531 (फा० सं० 404/82/76-आई टी सी सी) नारीख 20 मंगलवार, 1976 को प्रधिकृत करते हुए श्री ए० ए० गोरखान को जो केन्द्रीय सरकार के राजपत्रित प्रधिकारी हैं उक्त प्रधिनियम के प्रवीन कर वस्त्री प्रधिकारी की नियुक्तियों का प्रयोग करने के लिए नियुक्त करनी है।

[सं० 1725/फा० सं० 404/92/77-आई टी सी सी]

INCOME-TAX

S.O. 1865.—In pursuance of sub-clause (iii) of Clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of the notification of the Government of India in the Department of Revenue & Banking No. 1531 (F. No. 404/86/76 ITCC) dated the 20th October, 1976, the Central Government hereby authorises Shri A. A. Gorikhan being a Gazetted Officer of the Central Government to exercise the powers of Tax Recovery Officer under the said Act.

[No. 1725/F, No. 404/82/77-ITCC]

नई दिल्ली, 7 मई, 1977

का० आ० 1866.—आयकर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में तथा भारत सरकार में राजस्व और बैंकिंग विभाग की अधिसूचना सं० 1003 (का० सं० 404/95/75-आई० टी० सी० सी०) दिनांक 30-7-1975 का अधिकमण करने हुए, केन्द्रीय सरकार, एतद्वारा, श्री एन० एम० प्रसाद को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उग तारीख में जब वह कर वसूली अधिकारी के रूप में कार्यभार सभालेंगे, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियां प्रयोग करने के लिए प्राप्ति करती है।

[सं० 1763/का० स० 404/27/77-आई० टी० सी० सी०]

New Delhi, the 7th May, 1977

S.O. 1866.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of the notification of the Government of India in the Department of Revenue and Banking No. 1003(F. No. 404/95/75-ITCC) dated 30-7-1975, the Central Government hereby authorises Shri S. M. Prasad, who is Gazetted Officer of the Central Government to exercise the powers of Tax Recovery Officer under the said Act with effect from the date he takes over charge as Tax Recovery Officer.

[No. 1763/F, No. 404/27/77-ITCC]

नई दिल्ली, 11 मई, 1977

का० आ० 1867.—आयकर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में तथा भारत सरकार में राजस्व और बैंकिंग विभाग की अधिसूचना सं० 1072 (का० सं० 404/64/75-आई० टी० सी० सी०) दिनांक 8 निवार, 1975 तथा सं० 1293 (का० सं० 404/86/76-आई० टी० सी० सी०) दिनांक 20 अप्रैल, 1976 का अधिकमण करने हुए, केन्द्रीय सरकार, एतद्वारा श्री ए० एन० फण्डुन श्री एम० के गुणधर्म को, जो केन्द्रीय सरकार राजपत्रित अधिकारी है, उन तारीखों से जिन तारीखों का वह वसूली अधिकारी के रूप में कार्यभार सभालेंगे, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियां प्रयोग करने के लिए प्राप्ति करती है।

[गं० 1768 /का० गं० 404/82/77-आई० टी० सी० सी०]

New Delhi, the 11th May, 1977

S.O. 1867.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and

in supersession of the notification of the Government of India in the Department of Revenue and Banking No. 1072 (F. No. 404/64/75-ITCC) dated 8th September, 1975 and 1293 (F. No. 404/86/76-ITCC) dated the 20th April, 1976 the Central Government hereby authorises S/Shri A. N. Krishnamurthy and M. K. Gundappa being Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act, with effect from the respective dates they take over charge as Tax Recovery Officers.

[No. 1763/F, No. 404/82/77-ITCC]

का० आ० 1868.—आयकर प्रधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (ii) के उप खण्ड (iii) के अनुसरण में गौर भारत सरकार की दिनांक 21 अक्टूबर, 1975 की अधिसूचना सं० 1136 (का० सं० 404/94/75-आ० क० स० क०) तथा दिनांक 19 दिसंबर, 1975 की अधिसूचना सं० 1165 (का० सं० 404/94/75-आ० क० स० क०) के अधिकमण में, केन्द्रीय सरकार में राजस्व और बैंकिंग विभाग एतद्वारा श्री आर० नरसिंहन् श्री एन० सैयद अब्दुल रजा का, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, जिस तारीख से वे कर वसूली अधिकारियों का कार्यभार प्रगति करेंगे उस तारीख से, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारियों की शक्ति का प्रयोग करने के लिए प्राप्ति करता है।

[सं० 1770/का० स० 404/103/77-आई० टी० सी० सी०]

S.O. 1868.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of the Notification No. 1136 (F. No. 404/94/75-ITCC) dated 21-10-1975 and No. 1165 (F. No. 404/94/75-ITCC) dated 19-12-1975 of the Government of India in the Department of Revenue and Banking, in the Central Government hereby authorises Shri R. Narasimhan and Shri N. Syed Abdul Razzaq who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officer under the said Act, with effect from the dates they take over charge of Tax Recovery Officers.

[No. 1770/F, No. 404/103/77-ITCC]

का० आ० 1869.—आयकर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में, केन्द्रीय सरकार एतद्वारा उक्त प्रधिनियम के अधीन श्री श्यामता प्रशाद शर्मा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त वसूली अधिकारी की शक्तियां प्रयोग करने के लिए प्राप्ति करती है।

यह अधिसूचना उम तारीख से लागू होगी जिस तारीख से श्री श्यामता प्रशाद शर्मा कर वसूली अधिकारी के रूप में कार्यभार सभालेंगे।

[सं० 1772/का० स० 104/99/57-आई० टी० सी० सी०]

S.O. 1869.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises Shri Shyamta Prasad Sharma who is a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act,

The Notification shall come into force with effect from the date Shri Shyamta Prasad Sharma takes over charge as Tax Recovery Officer.

[No. 1772 (F. No. 404/99/77-ITCC)]

का० प्रा० 1870—प्राप्तकर अधिनियम, 1961 (1961 का 43) को धारा 2 के खण्ड (44) के उप-खण्ड (iii) का अनुसरण करते हुए नथा भारत सरकार के राजस्व और बैंकिंग विभाग की अधिसूचना मा० 967 (का० गा० 104/85/75-आई० टी० मी० मी०) विनाक 17-7-1975 का अधिकरण करते हुए केन्द्रीय सरकार एनदब्ल्यूआर उक्त अधिनियम के अधीन श्री टी० ज्ञान जार्ज को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, कर वस्ती अधिकारी की शक्तिया प्रयोग करने के लिए प्राधिकृत करती है।

2 यह अधिसूचना उम संघीय में लागू होगी जिस तारीख से श्री टी० ज्ञान जार्ज कर वस्ती अधिकारी के रूप ने कार्यभार संभालें।

[सा० 1774/(का० गा० 404/104/77-आई० टी० मी० मी०)]

एवं वेकटरामन, उप सचिव।

S.O. 1870.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of the notification of the Government of India in the Department of Revenue and Banking No. 967 (F. No. 404/85/75-ITCC) dated 17-7-1975, the Central Government hereby authorises Shri T. John George being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri T. John George takes over as Tax Recovery Officer.

[No. 1774/F. No 404/104/77-ITCC]

H VENKATRAMAN Dy Secy.

(अधिकारी पक्ष)

नई दिल्ली, 21 मई, 1977

का० प्रा० 1871—सरकारी स्थान (अप्राधिकृत अधिकारीयों की बेक्षणी) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त अधिनियम का प्रयोग करते हुए एवं सारन सरकार के वित्त सचिवालय (बैंकिंग विभाग) का दिनांक 26 मई, 1975 की अधिसूचना सा० 7(8)-श्री० 111/71 का अधिकरण करते हुए केन्द्रीय सरकार एनदब्ल्यूआर नीचे दी गयी सारणी के सन्दर्भ (1) में उल्लिखित अधिकारी को, जो सारन सरकार के राजपत्रित अधिकारी के रूप के समकक्ष अधिकारी है, उक्त अधिनियम के प्रयोगों के लिए सम्मत अधिकारी के रूप में नियुक्त करती है। यह अधिकारी उक्त सारणी के सन्दर्भ (2) में उल्लिखित सरकारी स्थानों के संबंध में उक्त अधिनियम के द्वारा अधिकारी उमके अतिरिक्त गम्पदा अधिकारियों को योग्य गये कर्तव्यों का निर्वाचन करेगा और प्रदल्ल अक्षियों का प्रयोग करेगा।

मारणा

अधिकारी का पद नाम सरकारी स्थानों का वर्गीकरण और अधिकारी की स्थानीय सीमाएँ

1

2

उप-महाप्रबन्धक (सामान्य प्रशासन) पण्ठम विभाग से यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी अन्दर आप से लाउ राज्य की अधिकारी अवैधिकी स्थान।

1
महायक महाप्रबन्धक, सामान्य कार्यालय यूनाइटेड कमर्शियल बैंक पारिषद-सेट स्टॉल, नई दिल्ली।

महायक महाप्रबन्धक प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 13/16, शाहव चेट्टी रोड, मद्रास।

महायक महाप्रबन्धक प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, मफतलाल सेटर (द्वारा पाल) नाशीमन वाहट, बंबई।

प्रभागीय प्रबन्धक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 147-बी० श्री शुभार रोड, ब्लाक 'ए', गोपन्द नगर, पटना।

प्रभागीय प्रबन्धक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 107 सूर्य नगर, भुवनेश्वर।

प्रभागीय प्रबन्धक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, जा० एन० बारदालाई राड मिन्युश्वरी, गोहाटी।

प्रभागीय प्रबन्धक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, सामुराम बैम्बर्स (ग्राउड फार्म) अधम, अहमदाबाद।

प्रभागीय प्रबन्धक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, सेक्टर 17-बी० बैंक स्क्वायर, चण्डीगढ़।

प्रभागीय प्रबन्धक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 18-ए० बनी पार्क, अप्पुर।

2
दिल्ली संघ राज्य शेत्र से यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमके आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

नमिनाडु राज्य प्रोव पाडिवेरा संघ राज्य शेत्र से यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

महाराष्ट्र राज्य और गोवा, दक्षं और दोबा संघ राज्य शेत्र में गोवा और श्रीव शेत्र में, यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमका आप का और उमके द्वारा पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

बिहार राज्य में यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

उडासा राज्य में यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

आसाम, मेघालय, मण्डुर और नागालैंड राज्यों और अरुणाचल प्रदेश और मिजोरम संघ राज्य शेत्रों में यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

गुजरात राज्य और गोवा, वर्मण और दीथ गवर राज्य शेत्र में यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

हरयाणा और जम्मू और कश्मीर राज्यों और चण्डीगढ़ संघ राज्य शेत्र में यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

राजस्थान राज्य में यूनाइटेड कमर्शियल बैंक के अधिकारी उमके द्वारा अधिकारी उमकी आप से पट्टे पर लिये गये अधिकारी अधिकृत स्थान।

<p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, "ग्रामांश ईप," 23 अधिकारी सभा मार्ग, लखनऊ।</p> <p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 1, मात्रीय नगर, भोपाल।</p> <p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, एमो 10-173 ना से ई० सक, फलहार गोड, हैदराबाद।</p> <p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 13/22 केप्पगोडा रोड, थगोलौर।</p> <p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 38/703/3, बनर्जी रोड, एनकुलम, कोचीन।</p> <p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, मरकुलर रोड, शिमला।</p> <p>प्रभागीय प्रबंधक, प्रभागीय कार्यालय, यूनाइटेड कमर्शियल बैंक, 7, रैनी पार्क, कलकत्ता।</p>	<p>[मा० ७(९)-शी० प्रा० III/७१] एम० बी० उमाकृष्ण, भवर चौधुरी</p> <p>(Banking Wing)</p> <p>Now Delhi, the 21st May, 1977</p> <p>S.O. 1871. -In Exercise of the power conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Banking) No. 7 (9) -B.O.I II/74 dated the 26th May, 1975, the Central Government hereby appoints the officers mentioned in column (i) of the Table below, being officers equivalent to the rank of a gazetted officer of Government, to be estate officers for the purposes of the said Act, Who shall exercise the powers conferred and performed the duties imposed on the estate officers by or under the said Act in respect of the public premises specified in column (2) of the said Table</p>	<p>10, Brabourne Road Clacutta-1</p> <p>Assistant General Manager, Divisional Office, United Commercial Bank, Parliament Street, New Delhi.</p> <p>Assistant General Manager, Divisional Office, United Commercial Bank, 13/16, Thambu Chetty St. Madras.</p> <p>Assistant General Manager, Divisional Office, United Commercial Bank, Mafatlal Centre (2nd floor), Nariman Point, Bombay.</p> <p>Divisional Manager, Divisional Office, United Commercial Bank, 147-B, Arya Kumar Road, Block, 'A' Rajendra Nagar, Patna</p> <p>Divisional Manager, Divisional Office, United Commercial Bank, "Akhand" 107, Suryanagar Bhubaneswar</p> <p>Divisional Manager, Divisional Office, United Commercial Bank, G.N. Bardoloi Road, Silpukhuri, Gauhati.</p> <p>Divisional Manager, Divisional Office, United Commercial Bank, Sadhuram Chambers (Ground Floor) Ashram Road, Ahmedabad.</p>	<p>Commercial Bank in West Bengal.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the Union Territory of Delhi.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of the United Commercial Bank in the State of Tamil Nadu and in the Union Territory of Pondicherry.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of the United Commercial Bank in the State of Maharashtra and Goa and Diu areas in the Union Territory of Goa, Daman and Diu.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Bihar.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Orissa.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the States of Assam, Meghalaya, Manipur & Nagaland and in the Union Territories of Arunachal Pradesh and Mizoram.</p> <p>Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Gujarat and Daman areas in the Union Territory of Goa, Daman and Diu.</p>
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TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
1 Deputy General Manager (General Administration) United Commercial Bank,	2 Premises belonging to or taken on lease or requisitioned by or on behalf of the United

Divisional Manager, Divisional Office, United Commercial Bank, Sector 17-B, Bank Square, Chandigarh

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the States of Haryana and Jammu & Kashmir and in the Union Territory of Chandigarh.

1

2

Divisional Manager, Divisional Office, United Commercial Bank, 18-A, Bani Park, Jaipur.

Divisional Manager, Divisional Office, United Commercial Bank, "Akash Deep" 23, Vidhan Sabha Marg, Lucknow.

Divisional Manager, Divisional Office, United Commercial Bank, 1, Malviya Nagar, Bhopal.

Divisional Manager, Divisional Office, United Commercial Bank, 5-10-173 A to E, Fateh Maidan Rd., Hyderabad.

Divisional Manager, Divisional Office, United Commercial Bank, 13/22, Kempegowda Road, Bangalore.

Divisional Manager, Divisional Office, 38/703/3, Banerjee Road, Ernakulam, Cochin.

Divisional Manager, Divisional Office, United Commercial Bank, Circular Road, Simla.

Divisional Manager, Divisional Office, United Commercial Bank, 7, Raincy Park, Calcutta.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Rajasthan.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Uttar Pradesh.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Madhya Pradesh.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Andhra Pradesh.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Karnataka.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Kerala.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Himachal Pradesh.

Premises belonging to or taken on lease or requisitioned by or on behalf of United Commercial Bank in the State of Tripura.

[No. 7(9)-B.O. III/74]

M. B. USGAONKAR, Under Secy.

S.O. 1872.—मार्कीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (1) के खण्ड (क) के अनुसरण में और भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 11 नवम्बर, 1976 की आधिसूचना संख्या 7/6/76-टी० १ के अधिकमण में, केन्द्रीय सरकार एनद्वारा डा० मनमोहन सिंह का भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड में निदेशक नियुक्त करती है।

[संक्षया एफ० 7/4/77-टी० १]

S.O. 1872.—In pursuance of clause (d) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), and in supersession of the Notification of the Government of India in the Department of Revenue and Banking (Banking Wing) No. 7/6/76-B.O. I dated the 11th November, 1976, the Central Government hereby nominates Dr. Manmohan Singh, to be a Director on the Central Board of the Reserve Bank of India.

[No. F. 7/4/77-B.O. I]

नई शिल्पी, 23 मई, 1977

का०आ० 1873.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 19 की उपधारा (1) के खण्ड (क) और धारा 20 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार, एनद्वारा, भारतीय स्टेट बैंक के प्रबन्ध निदेशक श्री पी० नी० श्री० नम्बियर को प्रत्याकार्यभार सम्भालने की तारीख से तीन वर्ष की अवधि के लिए भारतीय स्टेट बैंक का अन्तर्गत नियुक्त करती है।

[सं० एफ० ७/१/७७-टी० १(१)]

New Delhi, the 23rd May, 1977

S.O. 1873.—In pursuance of clause (a) of sub-section (1) of section 19 and sub-section (1) of section 20 of the State Bank of India Act, 1955 (23 of 1955), the Central Government hereby appoints Shri P. C. D. Nambiar, Managing Director of the State Bank of India as Chairman of the State Bank of India for a term of three years from the date of his taking charge.

[No. F. 9/4/77-B.O. I(1)]

का०आ० 1874.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) धारा 19 की उपधारा (1) के खण्ड (क) और धारा 20 की उपधारा (1) के प्रत्युत्तरण में, भारतीय रिजर्व बैंक के प्रारम्भ से केन्द्रीय सरकार, एनद्वारा, स्टेट बैंक ऑफ़ मेस्पूर के प्रबन्ध निदेशक श्री एच० शी० भरकार को, अपना कार्यभार सम्भालने की तारीख से तीन वर्ष की अवधि के लिए भारतीय स्टेट बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[सं० एफ० ९/४/७७-टी० १(२)]

S.O. 1874.—In pursuance of clause (b) of section (1) of section 19 and sub-section (1) of section 20 of the State Bank of India Act, 1955 (23 of 1955), the Central Government in consultation with the Reserve Bank, hereby appoints Shri H. C. Sarkar, Managing Director of the State Bank of Mysore as the Managing Director of the State Bank of India for a term of three years from the date of his taking charge.

[No. F. 9/4/77-B.O. I (2)]

का०आ० 1875.—राज्यद्वियकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 की उपधारा (क) के मात्र पठित खण्ड 8 की उपधारा (1) के प्रत्युत्तरण में, भारतीय रिजर्व बैंक के प्रारम्भ से, केन्द्रीय सरकार, एनद्वारा, श्री चौ० को० बोहरा को अपना कार्यभार सम्भालने की तारीख से तीन वर्ष की अवधि के लिए देना बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[सं० एफ० ९/४/७७-टी० १(३)]

S.O. 1875.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. K. Vora as the Managing Director of the Dena Bank for a term of three years from the date of his taking charge.

[No. F. 9/4/77-B.C. I (3)]

का०ग्रा० 1876—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 5 की उपधारा (1) के साथ पठित खण्ड 7 के अनुसरण में, भारतीय रिजर्व बैंक में परामर्श करने के पश्चात केन्द्रीय भवार, एनदब्ल्यूआर, श्री बी० ए० सुब्रह्मण्य को, जिन्हे अपना कार्यभार सम्भालने की तारीख से दता बैंक का प्रबन्ध निदेशक नियुक्त किया गया है उसी तारीख से दता बैंक के निदेशक मण्डल का प्रधान ना प्रधान नियुक्त करनी है।

[म० एफ० ९/४/७७-बी० ग्रा० १(४)]

S.O. 1876.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. L. Vora who has been appointed as the Managing Director of the Dena Bank from the date of his taking charge to be the Chairman of the Board of Directors of the Dena Bank with effect from the same date

[No F. 9/4/77-B O I (4)]

का०ग्रा० 1877—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 की उपधारा (क) के साथ पठित खण्ड 8 की उपधारा (1) के अनुसरण में, भारतीय रिजर्व बैंक के परामर्श से केन्द्रीय सरकार, एनदब्ल्यूआर, श्री बी० ए० परानंजपे को, अपना कार्यभार सम्भालने की तारीख से तीन वर्ष की अवधि के लिए यूनियन बैंक आफ इण्डिया का प्रबन्ध निदेशक नियुक्त करती है।

[म० एफ० ९/४/७७-बी० ग्रो० १(५)]

S.O. 1877.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government after consultation with the Reserve Bank of India, hereby appoints Shri B. L. Paranjape as the Managing Director of the Union Bank of India for a term of three years from the date of his taking charge

[No F. 9/4/77-B O I (5)]

का०ग्रा० 1878—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड ० की उपधारा (1) के साथ पठित खण्ड 7 के अनुसरण में, भारतीय रिजर्व बैंक में परामर्श करने के पश्चात केन्द्रीय सरकार, एनदब्ल्यूआर, श्री बी० ए० परानंजपे को, जिन्हे अपना कार्यभार सम्भालने की तारीख से यूनियन बैंक आफ इण्डिया का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से यूनियन बैंक आफ इण्डिया के निदेशक मण्डल का प्रधान नियुक्त करती है।

[म० एफ० ९/४/७७-बी० ग्रा० १(६)]

S.O. 1878—In pursuance of sub-clause (1) of clause 3, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970 the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. L. Paranjape who has been appointed as the Managing Director of the Union Bank of India from the date of his taking charge to be the Chairman of the Board of Directors of the Union Bank of India with effect from the same date

[No F. 9/4/77-B O I (6)]

का०ग्रा० 1879—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड ३ की उपधारा (क) के साथ पठित खण्ड 8 की उपधारा (1) के अनुसरण में भारतीय रिजर्व बैंक के परामर्श से केन्द्रीय सरकार, एनदब्ल्यूआर श्री अमिताभ धोपे को अपना कार्यभार सम्भालने की तारीख से तीन वर्ष की अवधि के लिए इनाहाबाद बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[म० एफ० ९/४/७७-बी० ग्रो० १(७)]

S.O. 1879.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Amitabha Ghosh as the Managing Director of the Allahabad Bank for a term of three years from the date of his taking charge

[No. 9/4/77-B.O I(7)]

का०ग्रा० 1880—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 5 की उपधारा (1) के साथ पठित खण्ड 7 के अनुसरण में, भारतीय रिजर्व बैंक में परामर्श करने के पश्चात केन्द्रीय सरकार, एनदब्ल्यूआर, श्री अमिताभ धोपे को, जिन्हे अपना कार्यभार सम्भालने की तारीख से इलाहाबाद बैंक का प्रबन्ध निदेशक नियुक्त किया गया है उसी तारीख से इलाहाबाद बैंक के निदेशक मण्डल का प्रधान नियुक्त करती है।

[स० एफ० ९/४/७७-बी० ग्रो० १(८)]

S.O. 1880.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Amitabha Ghosh who has been appointed as the Managing Director of the Allahabad Bank from the date of his taking charge to be the Chairman of the Board of Directors of the Allahabad Bank with effect from the same date.

[No F. 9/4/77 B O. I(8)]

का०ग्रा० 1881—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 की उपधारा (क) के साथ पठित खण्ड 8 की उपधारा (1) के अनुसरण में, भारतीय रिजर्व बैंक के परामर्श से केन्द्रीय सरकार, एनदब्ल्यूआर, श्री ए० मुख्य राज को अपना कार्यभार सम्भालने की तारीख से तीन वर्ष की अवधि के लिए इण्डियन बैंक का प्रबन्धक निदेशक मियुक्त करती है।

[स० एफ० ९/४/७७-बी० ग्रो० १(९)]

S.O. 1881.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M. V. Subba Rao as the Managing Director of the Indian Bank for a term of three years from the date of his taking charge

[No. F. 9/4/77 B O I (9)]

का०ग्रा० 1882—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 5 की उपधारा (1) के साथ पठित खण्ड 7 के अनुसरण में, भारतीय रिजर्व बैंक में परामर्श करने के पश्चात केन्द्रीय सरकार, एनदब्ल्यूआर, श्री ए० मुख्य राज को, जिन्हे अपना कार्यभार सम्भालने की तारीख से इण्डियन बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से इण्डियन बैंक के निदेशक मण्डल का प्रधान नियुक्त करती है।

[स० एफ० ९/४/७७-बी० ग्रो० १(१०)]

बलदेव निहाय, संयुक्त सचिव

S.O. 1882.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M. V. Subba Rao who has been appointed as the Managing Director of the Indian Bank from the date of his taking charge to be the Chairman of the Board of Directors of the Indian Bank with effect from the same date.

[No. F. 9/4/77-B O. I (10)]

BALDEV SINGH, Jt. Secy.

भारतीय रिजर्व बैंक
RESERVE BANK OF INDIA

नई दिल्ली, 26 मई, 1977
 New Delhi, the 26th May, 1977

का० अ० 1883—भारतीय रिजर्व बैंक अधिनियम, 1934 के अनुसारण में मई, 1977 के दिनांक 6 को समाप्त हुए सप्ताह के लिए लेखा।
 S.O. 1883.—An Account pursuant to the Reserve Bank of India Act, 1934 for the week ended the 6th day of May, 1977.

इण्डिक्शन

ISSUE DEPARTMENT

देयताएँ	रुपये	रुपये	आस्तियाँ	रुपये	रुपये
Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
बैंकिंग विभाग में रखे हुए नोट			सोने का मिक्का और बुलियन		
Notes held in the Banking			Gold Coin and Bullion		
Department	24,23,52,000		(क) भारत में रखा हुआ		
संचालन में नोट			(a) Held in India	187,80,45,000	
Notes in circulation	8193,81,89,000		(ख) भारत के बाहर रखा		
जारी किये गये कुल नोट			(b) Held outside India		
Total notes issued	8218,05,41,000		विदेशी प्रतिभूतियाँ		
			Foreign Securities	1071,73,97,000	
कुल देयताएँ			जोड़		
Total Liabilities	8281,05,41,000		Total	1259,54,42,000	
			रुपये का मिक्का		
			Rupee Coin	8,37,59,000	
			भारत सरकार की रुपया		
			प्रतिभूतियाँ		
			Government of India Rupee		
			Securities	6950,13,40,000	
			देशी विनियम बिल और		
			इन्सरेक्षन-पत्र		
			Internal Bills of Exchange		
			and other commercial		
			paper		
			कुल आस्तियाँ		
			Total Assets	8218,05,41,000	

दिनांक : 11 मई, 1977

Dated the 11th day of May, 1977

एम० नारासिंहम, गवर्नर
 M. NARA SIMHAM, Governor

6 मई, 1977 को भारतीय रिजर्व बैंक के बैंकिंग विभाग के कार्यक्लाप का विवरण

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 6th May, 1977

देयताएँ	रुपये	आस्तियाँ	रुपये
Liabilities	Rs.	Assets	Rs.
शुक्रानुजी			
Capital Paid Up	5,00,00,000	Notes	24,23,52,000
आरक्षित निधि		रुपये का मिक्का	
Reserve Fund	150,00,00,000	Rupee Coin	3,88,000
राष्ट्रीय कृषि ऋण		छोटा मिक्का	
(सीधकालीन प्रबलैन निधि)		Small Coin	4,11,000
National Agricultural Credit (Long Term Operations) Fund	400,00,00,000	जारीके और भुमाये गये बिल	
राष्ट्रीय कृषि ऋण		Bills Purchased and Discounted	
(स्थिरीकरण) निधि		(क) देशी	
National Agricultural Credit (Stabilisation) Fund	145,00,00,000	(a) Internal	164,22,95,000
		(ख) विदेशी	
		(ब) External	

देयताएँ Liabilities	रुपये Rs.	प्राप्तियाँ Assets	रुपये Rs.
राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रबंधन) निधि		(ग) सरकारी दस्तावेज बिल (c) Government Treasury Bills	381,65,61,000
National Industrial Credit (Long Term Operations) Fund	540,00,00,000	विदेशों में रखा हुआ भकाया Balances Held Abroad	1919,44,79,000
जमातार्थिया :—		निवेश Investments	504,31,23,000
Deposits :—		ऋण और अग्रिम— Loans and Advances to :—	
(क) सरकारी		(i) केन्द्रीय सरकार को Central Government	..
(a) Government		(ii) राज्य सरकारों को State Governments	369,76,92,000
(i) केन्द्रीय सरकार Central Government	56,00,16,000	ऋण और अग्रिम ..—	
(ii) राज्य सरकारें State Governments	7,72,07,000	Loans and Advances to :—	
(ख) बैंक		(i) प्रान्तमुचित वाणिज्य बैंकों को Scheduled Commercial Banks	616,26,19,000
(b) Banks		(ii) राज्य सहकारी बैंकों को State Co-operative Banks	310,91,43,000
(i) प्रान्तमुचित वाणिज्य बैंक Scheduled Commercial Banks	1428,87,85,000	(iii) दूसरों को Others	2,00,75,000
(ii) प्रान्तमुचित राज्य सहकारी बैंक Schedule State Co-operative Banks	29,10,54,000	राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रबंधन) निधि में ऋण, अग्रिम और निवेश	
(iii) गैर प्रान्तमुचित राज्य सहकारी बैंक Non-Scheduled State Co-operative Banks	1,89,75,000	Loans Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(iv) अन्य बैंक Other Banks	1,22,31,000	(क) ऋण और अग्रिम ..—	
(ग) अन्य	2205,83,18,000	(a) Loans and Advances to :—	
(c) Others		(i) राज्य सरकारों को State Governments	98,70,07,000
देय बिल Bills Payable	141,89,75,000	(ii) राज्य सहकारी बैंकों को State Co-operative Banks	15,80,92,000
अन्य देयताएँ Other Liabilities	1029,74,93,000	(iii) केन्द्रीय भूमिक्षेत्र बैंकों का Central Land Mortgage Banks	..
		(iv) कृषि पुनर्संरचना और विकास निगम का Agricultural Refinance and Development Corporation	136,05,00,000
		(ख) केन्द्रीय भूमिक्षेत्र बैंकों के हितेजरों में निवेश	
		(b) Investment in Central Land Mortgage Bank Debentures	8,45,82,000
		राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि में ऋण और अग्रिम	
		Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
		राज्य सहकारी बैंकों को ऋण और अग्रिम	
		Loans and Advances to State Co-operative Banks	91,89,85,000
		राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रबंधन) निधि में ऋण अग्रिम और निवेश	
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(क) विकास बैंक को ऋण और अग्रिम	
		(a) Loans and Advances to the Development Bank	518,12,86,000
		(ख) विकास बैंक द्वारा जारी नियंत्रित गये वाड़ों/ डिबेचर्स में निवेश	
		(b) Investment in bonds/debentures issued by the Development Bank	..
		अन्य प्राप्तियाँ Other Assets	
		रुपये Rupees	980,34,64,000
	6142,30,54,000		6142,30,54,000

दिनांक : 11 मई, 1977
Dated the 11th day of May, 1977

J.No.F.10/2/77—B.O.I.
एम० नारासिंहम, गवर्नर
M.NARASIMHAM, Governor

क्रा० आ० 1884—भारतीय रिजर्व बैंक अधिनियम, 1934 के मनुस्मरण में मई 1977 के दिनाक 13 को समाप्त हुए सम्पाद्य के लिए सेवा
S.O. 1884.—An Account pursuant to the Reserve Bank of India Act, 1934 for the week ended the 13th day of May, 1977

ISSUE DEPARTMENT

वेयताएँ Liabilities	रुपये Rs.	रुपये Rs.	आस्तिया Assets	रुपये Rs.	रुपये Rs.
बैंकिंग विभाग में रखे हुए नोट			सोने का मिक्का और मुलियत :—		
Notes held in the Banking Department	4,96,60,000		Gold Coin and Bullion :—		
संचालन में नोट			(क) भारत में रखा हुआ (a) Held in India	187,80,45,000	
Notes in circulation	8304,72,71,000		(ख) भारत के बाहर रखा हुआ (b) Held outside India		
जारी किये गये कुल नोट			विदेशी प्रतिशूलियां Foreign Securities	1071,73,97,000	
Total notes issued	8309,69,31,000				
			जोड़		
			Total	1259,54,42,000	
			रुपये का मिक्का		
			Rupee Coin	5,01,18,000	
			भारत सरकार की रुपया प्रतिशूलियां		
			Government of India Rupee Securities	7045,13,71,000	
			वेशी विनिमय चिन और दूसरे वाणिज्य-पत्र		
			Internal Bills of Exchange and other commercial papers		
			कुल आस्तिया		
Total Liabilities	8309,69,31,000		Total Assets	8309,69,31,000	

Frater: 10 min

प्रियांक : 18 महीने

Dated, the 18th day of May, 1971.

एम० नागसिम्हा, गवर्नर

M. NARASIMHAM, Governor

13 मई, 1977 को भारतीय निवेश बैंक के बैंकिंग विभाग के कार्यकलाप का विवरण

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 13th May, 1977

देयताएँ Liabilities	रुपये Rs.	आस्तियाँ Assets	₹० Rs.
शुक्रता पूँजी Capital Paid up	5,00,00,000	नोट Notes	4,96,60,000
धारकात निधि Reserve Fund	150,00,00,000	रुपये का सिक्का Rupee Coin	3,70,000
राष्ट्रीय कृषि ऋण (वीर्जकालीन प्रबन्धन) निधि National Agricultural Credit (Long Term Operations) Fund	400,00,00,000	छोटा सिक्का Small Coin खरीदे और भुलाये गये बिल Bills Purchased and Discounted :— (क) अंतर्राज्यीय ^(a) Internal (ख) विदेशी ^(b) External	3,67,000 160,93,10,000
राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि National Agricultural Credit (Stabilisation) Fund	145,00,00,000		

विवराएँ Liabilities	रु. Rs.	आविष्याएँ Assets	रु. Rs.
राष्ट्रीय आर्थिक ऋण (सीर्प्स कार्लीन प्रबन्धन) निधि National Industrial Credit (Long Term Operations) Fund	540,00,00,000	(ग) सरकारी खजाना बिल (c) Government Treasury Bills	344,93,91,000
जमा राशियाः— Deposits :—		विदेशों में रखा हुआ बकाया Balances Held Abroad	1992,35,69,000
(क) सरकारी (a) Government (i) केन्द्रीय सरकार (i) Central Government	135,90,87,000	निवेश Investments	402,03,73,000
(ii) राज्य सरकारें (ii) State Governments	8,73,99,000	ऋण और अग्रिम :— Loans and Advances to :—	
(ब) बैंक (b) Banks (i) अनुमति दाणिज्य बैंक (i) Scheduled Commercial Banks	1117,39,83,000	(i) केन्द्रीय सरकार को (i) Central Government	
(ii) अनुमति राज्य सहकारी बैंक (ii) Scheduled State Co-operative Banks	39,97,07,000	(ii) राज्य सरकार को (ii) State Governments	406,14,11,000
(iii) गैर अनुमति राज्य सहकारी बैंक (iii) Non-Scheduled State Co-operative Banks	1,87,01,000	ऋण और अग्रिम :— Loans and Advances to :—	
(iv) अन्य बैंक (iv) Other Banks	1,15,65,000	(i) अनुमति दाणिज्य बैंकों को (i) Scheduled Commercial Banks	540,86,09,000
(ग) अन्य (c) Others	2214,80,13,000	(ii) राज्य सहकारी बैंकों को (ii) State Co-operative Banks	300,16,68,000
		(iii) दूसरों को (iii) Others	15,45,000
		राष्ट्रीय कृषि ऋण (दीर्घ- कालीन प्रबन्धन) निधि से ऋण, अग्रिम और निवेश	
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
		(क) ऋण और अग्रिम :— (a) Loans and Advances to :—	
		(i) राज्य सरकारों को (i) State Governments	98,70,08,000
		(ii) राज्य सहकारी बैंकों को (ii) State Co-operative Banks	15,79,15,000
		(iii) केन्द्रीय भूमिवन्धक बैंकों को (iii) Central Land Mortgage Banks	
		(iv) कृषि पुनर्वित्र और दिवालय निगम को (iv) Agricultural Refinance and Deve- lopment Corporation	136,05,00,000
		(ब) केन्द्रीय भूमिवन्धक बैंकों के हित्यों में निवेश	
		(b) Investment in Central Land Mortgage Bank Debentures	8,45,82,000

देयताएः Liabilities	रुपये Rs.	ग्राहितयाः Assets	रुपये Rs.
देय बिल		राष्ट्रीय कृषि ऋण (स्थिरी-	
Bills Payable	159,02,55,000	करण) निधि से ऋण और अग्रिम	
अन्य देयताएः		Loans and Advances from National Agri- cultural Credit (Stabilisation) Fund	
Other Liabilities	1096,25,08,000	राज्य गहकारी बैंकों को ऋण और अग्रिम	
		Loans and Advances to State Co-operative Banks	95,00,67,000
		राष्ट्रीय श्रौतांशुकिक ऋण (दीर्घकालीन प्रबलेन) निधि से ऋण अग्रिम और निवेश	
		Loans, Advances and Investments from Na- tional Industrial Credit (Long Term Opera- tions) Fund	
		(क) विकास बैंक को ऋण और अग्रिम	
		(a) Loans and Advances to the Develop- ment Bank	518,12,85,000
		(ब) विकास बैंक द्वारा जारी किये गये बोंडों/ डिवेंचरों में निवेश	
		(b) Investment in bonds/debentures issued by the Development Bank	
		अन्य ग्राहितयाः	
		Other Assets	990,35,88,000
		रुपये Rupees	6015,12,18,000
रुपये Rupees	6015,12,18,000		प्रभू नारासिंहम, गवर्नर

दिनांक : 18 मई, 1977

Dated the 18th day of May, 1977

M. NARASIMHAM, Governor

[No. F. 10/2/77-BO. I]

प्रभू व० मीरचंदना, अवधि सचिव

C. W. MIRCHANDANI, Under Secy.

केन्द्रीय उत्पाद शुल्क समाहर्ता कार्यालय

गुन्हाय, 5 जनवरी, 1977

केन्द्रीय उत्पाद शुल्क

कारोबार 1885—1944 की केन्द्रीय उत्पाद शुल्क नियमावली के 233वें नियम के अन्तर्गत प्रत्यत शक्तियों का प्रयोग करने द्वारा, मैं, इस समाजनीलय के अधिकार धोन में, केन्द्रीय उत्पाद शुल्क एटिक मद सं 4-II(6) के अन्तर्गत आने वाली सुधनी के नियमावली का निरेश देता हूँ कि वे, एनवेपीसीएल संलग्न प्राकार्मा में सुधनी के निर्णय में प्रयोग की जाने वाली कच्ची सामग्री अर्थात् (1) तम्बाकू, (2) मिगरेट

सुधनी बनाने के लिए प्रयोग की जाने वाली कच्ची सामग्रियों का दैनिक लेखा कारखाने का नाम और गता :

कच्ची सामग्री का विवरण .

इस्ट, (3) वनस्पति उत्पाद के मम्बन्ध में पृथक रूप से दैनिक लेखा लेखें और नियम 55 इशिड के प्रत्यार उन्हें आलोच्य नियमावली के आगामी माह की 10 तारीख तक कथित कच्ची सामग्री के विवर में नियमावली भी अतिरिक्त प्रतियोगी निहित, जो कि केन्द्रीय उत्पाद शुल्क के मम्बन्धित सहायक समाहर्ता को प्रेषित की जाएगी, मम्बन्धित रेज अविकारी, केन्द्रीय उत्पाद शुल्क के मम्बन्ध प्रस्तुत करनी होगी।

2. इसके अतिरिक्त मैं कथित नियमावली को यह भी निवेश देता हूँ कि वे (तम्बाकू, मिगरेट, इस्ट, वनस्पति धी, चूता और पानी) में से किसी एक के भी मिश्रण निहित करने वाले, अमीर नामक अन्तर्वर्ती उत्पाद के मम्बन्ध में संलग्न प्राकार्मा में लेखा रखेंगे।

तारीख	आदिशेष	वार्जक को मं०	प्रेषक का नाम और निधि	प्राप्त मात्रा	गाग	सुधनी—अन्य माल के
						उत्पादन में प्रयुक्त मात्रा

प्रत्यक्ष नियटाई गयी छात्रावृद्धि या तष्ट को मात्रा	हनिशेष गई मात्रा	उन्प्रदित सुधनी की उन्प्रादित प्रथम माल मात्रा	प्रस्तुकियां की मात्रा	निर्धारिती या एजेंट/ अधिकारी के हस्ताक्षर			
निपटान का स्वरूप							
9	10	11	12	13	14	15	16

पूरे महीने का जोड़ :

नाट 1. प्रत्येक कच्ची गामधी के सम्बन्ध में पथक रजिस्टर द्वारा जाता चाहिए।

2. किसी भी कच्ची गामधी का प्रयोग विशिष्ट ट्रैकिंग भद्रा के प्रत्यर्गत प्राप्त वाले एक से अधिक उत्पाद शुल्क बन्दुओं या अन्य प्रकार के माल के निर्माण में किए जाने पर इन सभी प्रकार के माल में प्रयुक्त उक्त कच्ची गामधी की मात्रा, स्थान 5 और 8 के उप स्थानों में विभाजित करके, दिखायी जानी चाहिए।

श्रमीर लेखा रजिस्टर

मिश्रित करने की सिफि	बैच स०	तमाक की मिलाई गई मात्रा	मिगरेट डस्ट की मिलाई गई मिलाए गए बनस्पति भी की मात्रा	मात्रा	मात्रा
1	2	3	4	5	
मिलाए गए घूसे की मात्रा स्थान 3 से 5 में दिखाई गई बनायी गई रंजिन सुधनी की अपभ्यंग, यदि	मात्रा	मात्रा	घूसा हो	प्रस्तुकियां	निर्धारिती या अधिकारी के हस्ताक्षर
मात्रा का जोड़					
6	7	8	9	10	11

[प्रधिसूचना सं० 1/77/नी० स० V (१-II) ८/३४/७६—प्र० नी०-४]
नी० भुजंगस्वामी, समाहता

Office of the Collector of Central Excise

Guntur, the 5th January, 1977

CENTRAL EXCISE

S.O. 1885.—In exercise of the powers vested in me under Rule 233 of Central Excise Rules, 1944, I direct that the manufacturers of snuff (falling under Central Excise Tariff Item No. 4-II (6) in this Collectorate, shall hereafter maintain a separate daily account of raw materials, namely, (1)

Tobacco, (2) Cigarette dust, and (3) Vegetable product, used in the manufacture of snuff in the form enclosed, and, as required under Rule 55 ibid, shall also furnish quarterly return of the said raw materials to the Central Excise Range Officer concerned, with copies to the Assistant Collector of Central Excise concerned, by the 10th of the month following the quarter to which it relates.

2. I further direct that the said manufacturers shall also maintain an account of intermediary product known as "Khamir" (mixture containing any of the following: namely Tobacco, Cigarette dust, Vegetable ghee, Ghec, lime and water) in the enclosed forms.

DAILY ACCOUNT OF RAW MATERIALS FOR THE MANUFACTURE OF SNUFF

Name & Address of the factory:

Description of Raw Materials:

Date	Opening Balance	Invoice No. & date	Name of consigner	Quantity received	Total	Qty. used in the manufacture of		Signature of the assessee or his agent
						Snuff	Other goods	
1	2	3	4	5	6	7	8	
Qty. otherwise disposed of		Qty.		Closing balance	Qty. of snuff manufactured	Qty. of other goods manufactured	Remarks	
		Wasted/or	Destroyed					
Nature of the disposal.								
9	10	11	12	13	14	15		16

Total for the month.

Note: -1 Separate Register should be maintained in respect of each raw material.

2. If any raw material is used for more than one excisable goods (falling under different tariff Items) or other goods manufactured, quantity used for each of such goods should be shown separately alongwith description of such goods by suitably sub-dividing column 5 & 8.

KHAMIR ACCOUNT REGISTER

Name & Address of the factory:

Date of mixing	Batch No.	Qty. of tobacco mixed	Qty. of Cigarette dust mixed	Qty. of vegetable ghce mixed	Qty. of Lime mixed	Total to cols. 3 to 5
1	2	3	4	5	6	7
Qty. of coloured Snuff manufactured		Wastage, if any		Remarks		Signature of the assessee or his agent
8		9		10		11

[Notification No. 1/77/C.No. V(4-II)8/38/76 MP. 4]
C. BHUJANGASWAMY, Collector

भारिन्जन मंत्रालय

नई दिल्ली, 19 मई, 1977

(तम्बाकू उद्योग विकास नियंत्रण)

का० आ० 1886.—तम्बाकू बोई अधिनियम, 1975 की धारा 1 की उपधारा (4) के अनुमति में केन्द्रीय सरकार श्री बी० मी० पांडे, आई०ए०ए० को, श्री एन० के० भुजलीधर राव, आई०ए०ए० के स्थान पर जो उसी तारीख में भाग्यमुक्त हुए, 1-5-1977 (पूर्वीक्र.) से आगामी प्रादेश होने तक अधिक, तम्बाकू बोई, गुन्डूर के प्रदृश नियुक्त करती है।

[सं० 1/5/77-ई० पी० (एमी०-६)]

एम० आई० मिह, डेस्क अधिकारी (तम्बाकू)

MINISTRY OF COMMERCE

New Delhi, the 19th May, 1977

(Tobacco Industry Development Control)

S.O. 1886.—In pursuance of Sub-section (4) of Section 4 of the Tobacco Board Act, 1975, the Central Government is pleased to appoint Shri V. C. Pande IAS with effect from 1st May, 1977 (F.N.) as Chairman, Tobacco Board, Guntur vice Shri N. K. Muralidhara Rao IAS relieved on the same date until further order.

[No. 1/5/77-EP (AGRI-VI)]

M. I. SINGH, Desk Officer (Tobacco)

आवेदन

नई दिल्ली, 11 जून, 1977

का० आ० 1887.—भारत के नियंत्रित व्यापार के विकास के लिए कठिनपूर्ण प्रस्ताव, भारत सरकार के वाणिज्य मंत्रालय की प्रकार्बनिक रसायनों

से संबंधित अधिसूचना सं० का० प्रा० 1270, तारीख 25 मार्च, 1966 में संशोधन करने के लिए, नियर्ति (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) की अपेक्षानुसार भारत सरकार के वाणिज्य मंत्रालय के आदेश संख्या का० प्रा० 2005, तारीख 12 जून, 1976 के प्रवीन, भारत के राजपत्र, भाग II खण्ड-3 उप-खण्ड (ii) तारीख 12 जून, 1976 की पृष्ठ संख्या 56 पर उन मध्ये लोगों से जिनके उनसे प्रभावित होने की सम्भावना है, इस अधिनियम के राजपत्र में प्रकाशन की तारीख के 30 दिन के भीतर आक्षेप तथा मुमाल भागते हुए, प्रकाशित किए गए थे :

और उक्त राजपत्र की प्रतियो जनता को 14 जून, 1976 को उपलब्ध करा दी गई थी।

और उक्त प्रारूप पर जनता में प्राप्त आक्षेपों तथा मुमालों पर केन्द्रीय सरकार द्वारा विवार कर लिया गया है :

अतः अब नियर्ति (क्वालिटी नियंत्रण तथा निरीक्षण) अधिनियम, 1963 (1963 का 23) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार नियर्ति निरीक्षण परिषद् से परामर्श करने के पश्चात् भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना संख्या का० प्रा० 1270, तारीख 25 मार्च, 1966 में एतद्वारा निम्नलिखित और संशोधित करती है अर्थात् :—

उक्त अधिसूचना की अनुसूची में, कम संख्या 22 तथा 23, कम संख्या 21 तथा 22 के रूप में पुनः संबोधित की जाएंगी तथा इस प्रकार पुनः संबोधित कम संख्या 22 तथा 23 तथा इसमें संबंधित प्रविष्टियों के पश्चात् निम्नलिखित जोड़ा जायेगा, अर्थात् :—

- “23. एल्यूमीनियम आक्साइट
- 24. ब्लीचिंग पाउडर
- 25. बोरेक्स
- 26. कास्टिक सोडा
- 27. कास्टिक पोटास
- 28. पोटाशियम कार्बोनेट
- 29. पोटाशियम क्लोरेट
- 30. सोडियम सिलिकेट
- 31. सोडियम हाइड्रोसल्फेट”

[सं० 6(3)/76-नि० नि० तथा नि० उ०]

ORDER

New Delhi, the 11th June 1977

S.O. 1887.—Whereas for the development of the export trade of India certain proposals for amending the notification of the Government of India in the Ministry of Commerce, No. S.O. 1270 dated the 25th March 1966 regarding the Inorganic chemicals were published as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964 at pages 2055-2056 of the Gazette of India, Part-II Section 3 sub-section (ii) dated 12th June, 1976, under the Order of the Government of India in the Ministry of Commerce No. S.O. 2005 dated the 12th June, 1976 inviting objections and suggestions from all persons likely to be affected thereby, within 30 days from the date of publication of the order in the official gazette ;

And whereas copies of the said gazette were made available to the public on 14th June, 1976 ;

And whereas objections and suggestions received from the public on the said draft have been considered by the Central Government ;

Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963

1963 (22 of 1963), the Central Government after consulting the Export Inspection Council, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 1270 dated the 25th March 1966, namely :—

In the Schedule to the said notification, Serial numbers 22 and 23 shall respectively be renumbered as serial numbers 21 and 22 and after serial No. 22 as so renumbered and the entry relating thereto, the following shall be added, namely :—

- “23. Aluminium Oxide
- 24. Bleaching Powders
- 25. Borax
- 26. Caustic Soda
- 27. Caustic Potash
- 28. Potassium Carbonate
- 29. Potassium Chlorate
- 30. Sodium Silicate
- 31. Sodium Hydrosulphate.”

[No. 6(3)/76-EI & EP]

का० प्रा० 1888.—केन्द्रीय सरकार, नियर्ति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अकार्बनिक रसायनों के नियर्ति (निरीक्षण) नियम, 1966 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. इन नियमों का नाम अकार्बनिक रसायनों के नियर्ति (निरीक्षण) संशोधन नियम, 1977 है।

2. ये नियम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होते।

3. अकार्बनिक रसायनों के नियर्ति (निरीक्षण) नियम, 1966 की अनुसूची में कम संख्या 22 तथा 23, कम संख्या 21 तथा 22 के रूप में पुनः संबोधित की जाएंगी तथा इस प्रकार पुनः संबोधित कम संख्या 22 तथा 23 तथा 24 तथा 25 तथा 26 तथा 27 तथा 28 तथा 29 तथा 30 तथा 31 संबंधित प्रविष्टियों के पश्चात् निम्नलिखित जोड़ा जाएगा, अर्थात् :—

- “23. एल्यूमीनियम आक्साइट
- 24 ब्लीचिंग पाउडर
- 25. बोरेक्स
- 26. कास्टिक सोडा
- 27. कास्टिक पोटास
- 28. पोटाशियम कार्बोनेट
- 29. पोटाशियम क्लोरेट
- 30. सोडियम सिलिकेट
- 31. सोडियम हाइड्रोसल्फेट”

[सं० 6(3)/76-नि० नि० तथा नि० उ०]

S.O. 1888.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules further to amend the Export of Inorganic Chemicals (Inspection) Rules, 1966, namely :—

1. Those rules may be called the Export of Inorganic Chemicals (Inspection) Amendment Rules, 1977.

2. They shall come into force on the date of their publication in official Gazette.

3. In the Schedule to the Export of Inorganic Chemicals (Inspection) Rules, 1966 Serial numbers 22 and 23 shall respectively be renumbered as serial numbers 21 and 22 and

after serial number 22 as so renumbered and the entry relating thereto, the following shall be added, namely :—

- "23. Aluminium Oxide
- 24. Bleaching Powders
- 25. Borax
- 26. Caustic Soda
- 27. Caustic Potash
- 28. Potassium Carbonate
- 29. Potassium Chlorate
- 30. Sodium Silicate
- 31. Sodium Hydroxylphate."

[No. 6 (3)/76 EI & EP]

का० आ० 1889.—नियंत्रण (क्षानिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 हारा प्रवृत्त शर्कियों का प्रयोग करने द्वारा, केन्द्रीय सरकार, भारत सरकार के व्याणिय मंत्रालय की अधिसूचना संख्या का० आ० 1272, तारीख 25 मार्च, 1966 में निम्नलिखित और संशोधित करनी है, अर्थात् :—

उक्त अधिसूचना में, अनुसूची II में क्रम संख्या 22 तथा 23, क्रम संख्या 21 तथा 22 के रूप में पुनः संख्याक्रिया की जाएगी तथा इस प्रकार पुनः मंडणकिन क्रम संख्या 22 तथा उससे संबंधित प्रतिस्थितियों के पश्चात् निम्नलिखित जोड़ा जाएगा, अर्थात् :—

- "23. एल्यूमिनियम आक्साइड
- 24. ब्लीचिंग पाउडर
- 25. बोरेक्स
- 26. कार्सिटिक सोडा
- 27. कार्सिटिक पोटास
- 28. पोटाशियम कार्बोनेट
- 29. पोटाशियम क्लोरेट
- 30. सोडियम सिलिकेट
- 31. सोडियम हाइड्रोसल्फेट"

[सं० 6 (3)/76-नि० नि० तथा नि० उ०]

के० वी० बालसुब्रह्मण्यम्, उप निदेशक

S.O. 1889.—In exercise of the powers conferred by section 7 Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following further amendment in the notification of Government of India in the Ministry of Commerce, No. S.O. 1272, dated the 25th March 1966, namely :—

In the said notification, in Schedule II Serial Numbers 22 and 23 shall respectively be renumbered as serial Numbers 21 and 22 and after serial number 22 as so renumbered and the entry relating thereto, the following shall be added, namely :—

- "23. Aluminium Oxide
- 24. Bleaching Powders
- 25. Borax
- 26. Caustic Soda
- 27. Caustic Potash
- 28. Potassium Carbonate
- 29. Potassium Chlorate
- 30. Sodium Silicate
- 31. Sodium Hydroxylphate."

[No. 6(3)/76-EI & EP]

K. V. BALASUBRAMANIAM, Dy. Director

(विवेश व्यापार विभाग)

उप-मुख्य नियंत्रण, आयात-नियंत्रण का० कार्यालय,

आदेश

ग्राहमदाबाद, 10 जनवरी, 1977

का० आ० 1890.—खनिज एवं धारु व्यापार नियंत्रण, अम्बई के नाम प्राधिकार पत्र के साथ संवैधी इलेक्ट्रिक कन्ट्रोल गियर प्रा० नि० (धारु

विभाग) न्यू कॉटन मिल्स नं० 1, कम्पाउण्ड कल्किन्हा रोड, ग्राहमदाबाद को 7,50,000 रुपए (सात साल व पचास हजार रुपए मात्र के लिए) एक आयात लाइसेंस संख्या जी/टी/1843770, विनाक 2-11-75 प्रदान किया गया था।

पूर्वोक्त कर्म संवैधी इलेक्ट्रिक कन्ट्रोल गियर प्रा० नि०, ग्राहमदाबाद को सूचित करने हुए खनिज एवं धारु व्यापार नियंत्रण, अम्बई को प्राधिकार पत्र और लाइसेंस दीनां भेजे गए थे और खनिज एवं धारु व्यापार नियंत्रण, अम्बई ने उक्त लाइसेंस (प्राधिकार पत्र के साथ सीमा शुल्क प्रयोजन प्रति और मूल विनियम नियंत्रण प्रति) की श्रनुतिप्रति जारी करने के लिए इग प्राधिकार पर आवेदन किया है कि मूल लाइसेंस/प्राधिकार पत्र (मुद्रा विनियम नियंत्रण प्रति और सीमा शुल्क प्रयोजन प्रति) किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराएं बिना ही खनिज एवं धारु व्यापार नियंत्रण, अम्बई द्वारा अस्थानस्थ हो गया है।

प्रपते तर्क के समर्थन में खनिज एवं धारु व्यापार नियंत्रण, अम्बई ने एक आधिकारिक घोषणा की है।

मै गन्तुष्ट हूँ कि प्राधिकार-पत्र के साथ लाइसेंस संख्या जी/टी/1843770, विनाक 2-11-76 (मुद्रा विनियम नियंत्रण प्रति और सीमा शुल्क प्रयोजन प्रति) अस्थानस्थ हो गया है तथा निदेश देता हूँ कि आवेदक कर्म/खनिज एवं धारु व्यापार नियंत्रण को प्राधिकार पत्र के साथ उक्त लाइसेंस (मुद्रा विनियम नियंत्रण प्रति और सीमा शुल्क प्रयोजन प्रति) की श्रनुतिप्रति जारी की जानी चाहिए।

प्राधिकार-पत्र के साथ मूल लाइसेंस संख्या जी/टी/1843770, विनाक 2-11-76 (मुद्रा विनियम नियंत्रण प्रति और सीमा शुल्क प्रयोजन प्रति) रद्द किया जाता है।

[का० सं० 1027/ई यू/21990/एस० 1, 8/ए एम 76/एस एस आई/7050]

के० आर० कुलकर्णी, नियंत्रक
छते उप-मुख्य नियंत्रक

(Dept. of Foreign Trade)

(Office of the Dy. Chief Controller of Imports & Exports)

ORDER

Ahmedabad, the 10th January, 1977

S.O. 1890.—M/s. Electric Control Gear Pvt. Ltd. (Metal Division) New Cotton Mills No. 1 compound Kankaria Road, Ahmedabad, has been granted import licence No. G/T/1843770 dated 2-11-1976 for Rs. 7,50,000 (Rupees Seven Lacs fifty thousand only.) in the name of M.M.T.C. of India Ltd. Bombay alongwith letter of authority in favour of them.

Both licences and letter of authority were sent to the M.M.T.C. Bombay under intimation to the above firm. The firm M/s. Electric Control Gear Pvt. Ltd. Ahmedabad and the M.M.T.C. Bombay have applied for duplicate copy of the said licence, (Exchange Control copy and Custom Purpose copy alongwith letter of authority) on the grounds that the original licence/Letter of Authority (Exchange Control copy and Custom Purpose copy) have been misplaced by M.M.T.C. of India Ltd. Bombay without having been registered with a Custom authority.

In support of their claim, M.M.T.C. Bombay has filed an affidavit.

I am satisfied that licence No. G/T/1843770 dated 2-11-76 (Exchange Control purpose copy and Custom purpose copy) alongwith its letter of authorities have been misplaced and direct that the duplicate copy of the said licence (Ex-Control copy and custom purpose copies (alongwith letter of authority) should be issued to the applicant firm/M.M.T.C.

The original licence No. G/T/1843770 dated 2-11-76 (Ex-Control copy and Custom purpose copy) and its letter of authority is cancelled.

[F. No. 1027/EU/21990/S/1-8/AM-76/SSI/7050]

K. R. KULKARNI, Controller
for Dy. Chief Controller.

मुख्य नियंत्रक आयात-नियात का कार्यालय

आवेदन

नई दिल्ली, 26 मई, 1977

का० आ० 1891।—सर्वश्री सेल इन्डरेशनल लि०, नई दिल्ली को रु० २० के० से सरणीबद्ध इस्पात मदो का आयात करने के लिए २,००,००,००० रुपए के लिए लाइसेंस सं० जी/टी/२४११७७३, दिनांक ५-१२-७५ दिया गया था। उन्होंने उक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि उनसे मूल मुद्रा विनिमय नियंत्रण प्रति छो गई है। लाइसेंस धारी ने आगे यह भी बताया है कि उन्होंने लाइसेंस को भारत में किसी भी पत्तन पर वर्जीफ्ट नहीं करवाया है।

अपने तर्क के समर्थन में आवेदक ने एपथ-पत्र दाखिल किया है। अशोहस्त्राकारी मनुष्टुट है कि लाइसेंस मं० जी/टी/२४११७७३ दिनांक ५-१२-७५ की प्रति खो गई है और निदेश देता है कि मुद्रा विनिमय

नियंत्रण प्रति की अनुलिपि प्रति उन्हे जारी की जाए। लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति को रद्द किया जाता है।

लाइसेंस सं० जी/टी/२४११७७३, दिनांक ५-१२-७५ की मुद्रा विनिमय नियंत्रण प्रति अन्य से जारी की जा रही है।

[मि० स० सेल/६-७/७५-७०/यार० एम० मेल/३३४]

एन० ए० कोहली, उच्च-मुख्य नियंत्रक

Office of the Chief Controller of Imports and Exports

ORDER

New Delhi, the 26th May, 1977

S.O. 1891।—M/s. Sail International Ltd., New Delhi were granted licence No. G/I/2411773 dated 5-12-75 for the import of Canalised Steel items from U.K. to the value of Rs. 2,00,00,000. They have requested for the duplicate exchange control copy of the above licence on the ground that the original exchange control copy of the above licence has been lost by them. It has been further reported by the licensee that the licence has not been registered with any port in India.

In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that E.C. copy of the licence No. G/T/2411773 dated 5-12-75 has been lost and direct that exchange control copy of the said licence should be issued to them. The E.C. copy of the licence is cancelled.

E.C. Copy of the licence No. G/T/2411773 dated 5-12-75 is being issued separately.

[File No. Sail/6-7/75-76/R.M.Cell/334]

N. A. KOHLI, Dy. Chief Controller

नागरिक पूर्ति सभा सहकारिता मंत्रालय

भारतीय मानक संस्था

नई दिल्ली, 1977-05-19

का० आ० 1892।—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) नियम और विनियम 1955 के नियम ३ के उनियम (२) और विनियम ३ के उपविनियम (२) और (३) के अनुमार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि नीचे अनुमूली में जिन मानकों के घोरे दिए गए हैं, ३० जून, 1975 की अवधि में निर्धारित किए द्वाए हैं:

अनुमूली

अम निर्धारित भारतीय मानक की पदसंबद्धा और शोर्पक नाम भारतीय मानक द्वारा रद्द किए गए भारतीय मानक की पदसंबद्धा और शोर्पक

अन्य विवरण

(1)	(2)	(3)	(4)
IS : 54-1975 रंग रोगन के लिए कोमियम के हरे आक्साइड की विशिष्टि (पहला पुनरीक्षण)	IS : 54-1950 रंग-रोगन के लिए आमियम के हरे आक्साइड की विशिष्टि		--

2. *IS : 133-1975 भीतरी हिस्सों में लगाने के इनैमल (क) अण्डरकोट देने वाला (ख) फिनिश देने वाला, की विशिष्टि (दूसरा पुनरीक्षण)	IS : 133-1965 भीतरी हिस्सों में लगाने के *भा० मा० संस्था प्रमाणन मुद्रर योग्यता के इनैमल (क) अण्डरकोट देने वाला निए IS : 133-1975, १ नश्वर, (ख) फिनिश देने वाला, आंचित रंग के इनैमल को 1975 से लागू होगा। विशिष्टि (पुनरीक्षित)
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3. IS : 620-1975 ग्रीजारों के लकड़ी के बटों (हैडिल) सम्बन्धी सामान्य अपेक्षाओं की विशिष्टि (तीसरा पुनरीक्षण)	IS : 620-1965 ग्रीजारों के लकड़ी के बटों (हैडिल) सम्बन्धी सामान्य अपेक्षाओं की विशिष्टि (दूसरा पुनरीक्षण)		--
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4. IS : 695-1975 एसीटिक अम्ल की विशिष्टि (दूसरा पुनरीक्षण)	IS : 695-1967 एसीटिक अम्ल की विशिष्टि (पहला पुनरीक्षण)	1975-05-31 को निर्धारित
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5. IS : 834-1975 होजरी के लिए कोरे सूनी धारे की विशिष्टि (पूसरा पुनरीक्षण)	*IS : 834-1970 होजरी के लिए कोरे सूनी धारे की विशिष्टि (पहला पुनरीक्षण)	*भा० मा० संस्था प्रमाणन मुद्रर योग्यता के निए IS : 834-1970, 30-9-1975 तक JS : 834-1975 के साथ लागू रहेगा।
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6.	IS : 1200 (भाग 8)–1974 इमारती एवं सिविल इंजीनियरी कार्यों की मापन पद्धति भाग 8 इस्पात और लोहे का काम (तीव्रता पुनरीक्षण)	IS : 1200 (भाग 8)–1967 इमारती एवं सिविल इंजीनियरी कार्यों की मापन पद्धति भाग 8 इस्पात और लोहे का काम (दूसरा पुनरीक्षण)	—
7.	IS : 1730 (भाग 1)–1974 संरचना एवं सामान्य इंजीनियरी कार्यों के लिए इस्पात की पट्टी, चबूर, पत्ती के भाग भाग 1 पट्टी (पहला पुनरीक्षण)	IS : 1730–1961 संरचना एवं सामान्य इंजी-नियरी कार्यों के लिए इस्पात की पट्टी, चबूर, पत्ती के माप	—
8.	IS : 1865–1974 गोलाबाद अथवा ग्रन्थिलकार फ्रेकाइट युक्त लोहे की ढाई वस्तुओं की विशिष्टि (दूसरा पुनरीक्षण)	IS : 1865–1968 गोलाबाद अथवा ग्रन्थिल फ्रेकाइट युक्त लोहे की ढाई वस्तुओं की विशिष्टि (पहला पुनरीक्षण)	—
9.	IS : 1921–1975 बरोजा पड़े टाँके के तार की विशिष्टि (पहला पुनरीक्षण)	IS : 1921–1961 सक्रियकृत एवं असक्रियकृत (प्रसंशाती) बरोजा पड़े टाँके के तार की विशिष्टि	—
10.	IS : 2032 (भाग 7)–1974 विषुत प्रौद्योगिकी में प्रयुक्त लेखन प्रतीक भाग 7 स्ट्रिंग गियर सहायकांग (पहला पुनरीक्षण)	IS : 2032 (भाग 7)–1965 विषुत प्रौद्योगिकी में प्रयुक्त सेक्षन प्रतीक भाग 7 स्ट्रिंग गियर सहायकांग	—
11.	IS : 2749–1974 आउटटिनारटी लोहे की ढाई (पहला पुनरीक्षण) वस्तुओं की विशिष्टि	IS : 2749–1964 आउटटिनारटी लोहे की ढाई वस्तुओं की विशिष्टि	—
12.	IS : 2771 (भाग 2)–1975 फाइबर बोर्ड के वस्तुओं की विशिष्टि भाग 2 टोस फाइबर बोर्ड के वस्तुओं (पहला पुनरीक्षण)	IS : 2771–1965 पनारीवार फाइबर बोर्ड के वस्तुओं की विशिष्टि	—
13.	IS : 2885–1975 मेंढक की जमी टाँगों की विशिष्टि (पहला पुनरीक्षण)	IS : 2885–1964 मेंढक की जमी टाँगों की विशिष्टि	—
14.	*IS : 2933–1975 बाहरी हिस्सों में लगाने के इनैमल (क) प्राण्डरकोट देने वाला (ख) फिनिश देने वाला, की विशिष्टि (पहला पुनरीक्षण)	IS : 2933–1964 बाहरी हिस्सों में लगाने वाले *भा० मा० संस्था प्रमाणन मुहर योजना में दाटप II इनैमल (क) प्राण्डरकोट देने वाला (ख) फिनिश देने वाला, बांधित रंग की विशिष्टि	लिए IS : 2933–1975, 1-11-1971 से लागू होगा।
15.	IS : 3084–1975 पेसिल स्लेट की विशिष्टि (पहला पुनरीक्षण)	IS : 3084–1965 पेसिल स्लेट की विशिष्टि	—
16.	IS : 3313–1974 दफ्तरों में सामान्य कार्यों के लिए प्रयुक्त फाइल रखने के इस्पात की कैबिनेटों की विशिष्टि (पहला पुनरीक्षण)	IS : 3313–1965 दफ्तरों में सामान्य कार्यों के लिए प्रयुक्त फाइल रखने के इस्पात की कैबिनेटों की विशिष्टि	—
17.	IS : 3690–1974 तापरोधन के लिए बिना चिपकाई काच ऊन की विशिष्टि (पहला पुनरीक्षण)	IS : 3690–1966 तापरोधन के लिए काच ऊन की गद्दियां की विशिष्टि	—
18.	IS : 3892–1975 महारिंगट (लॉस्टर) की जमी पूँछ की विशिष्टि (पहला पुनरीक्षण)	IS : 3892–1966 महारिंगट (लॉस्टर) की पूँछ की विशिष्टि	—
18.	IS : 3900–1975 जिराम तकनीकी की विशिष्टि (पहला पुनरीक्षण)	*IS : 3900–1966 जिराम तकनीकी की विशिष्टि *भा० मा० संस्था प्रमाणन मुहर योजना कार्यों के लिए IS : 3900–1966 30 सितम्बर, 1975 तक 3900–1975 के साथ लागू रहेगा।	
20.	IS : 4135–1974 प्रस्ताव में प्रयुक्त रबड़ की सीटों की विशिष्टि (पहला पुनरीक्षण)	IS : 4135–1967 प्रस्ताव में प्रयुक्त रबड़ की सीटों की विशिष्टि	—
21.	IS : 4454 (भाग 2)–1975 ऊँड़ी रूपाधित कमानियों के गिए इस्पात के सारों की विशिष्टि भाग 2 तेल कठोरीकृत और टेम्पर दी कमानियों के इस्पात के तार और बाल्ब कमानी के तार-आंमश (पहला पुनरीक्षण)	IS : 4454–1967 ऊँड़ी रूपाधित कमानियों के लिए इस्पात के तार की विशिष्टि	—
22.	IS : 4941–1974 निकाली मुर्श शहद की विशिष्टि	IS : 4941–1968 निकाली मुर्श शहद की विशिष्टि	—

(1)	(2)	(3)	(4)
23. IS: 4964 (भाग 2)-1975 यात्री बुनाई वाली सूती बनियांसों की विशिष्ट भाग 2 बनियां (पहला पुनरीक्षण)	*IS: 1964-1968 नादी बुनाई वाली सूती बनियांसों की विशिष्ट	*भाँ माँ संस्था प्रमाणन मुहर योजन के कार्यों के लिए IS: 4964-1968; 150-1975 तक IS: 4964 (भाग 2) -1975-09-15 के साथ लागू रहेगा।	
24. IS: 5878 (भाग 6)-1975 सुरंग के निर्माण की रेति संहिता भाग 6 इस्पात का प्रस्तर	--	--	
25. IS: 6297 (भाग 4)-1974 इनेकटानिक भाज-गामान के लिए द्रान्सफार्मर्स और प्रेसिंग्स (पावर, अव्य, स्पन्ड और स्विच वाले) की विशिष्ट भाग 4 स्पन्ड और स्विच वाले द्रान्सफार्मर	--	--	
26. IS: 7146 (भाग 4)-1974 फोटो जन्य साधनों मध्यस्थी मापन पद्धतियां भाग 4 फोटो मल्टीप्लायर	--	--	
27. IS: 7306-1974 परीक्षणों द्वारा तुल्य कालिक मशीन यांत्रियों निर्धारित करने की पद्धतियां	--	1975-05-31 को निर्धारित	
28. IS: 7371-1975 सेफटी रेजर के ब्लेड की विशिष्टि	--	--	
29. IS: 7422 (भाग 1)-971 भूवैज्ञानिक नवयों, सैक्षण और अवतल अन्वेषण अभिलेखों (लॉग) में प्रयोग होने वाले प्रशीक्षण और संक्षिप्तियां भाग 1 संक्षिप्तियां	--	--	
30. IS: 4722 (भाग 3)-1974 भूवैज्ञानिक नवयों, सैक्षण और अवतल अन्वेषण अभिलेखों (लॉग) में प्रयोग होने वाले प्रशीक्षण और संक्षिप्तियां भाग 3 अवगमावी बद्धतें	--	--	
31. IS: 7443-1974 बमों के गियरों की भार वर अंकत पद्धति	--	--	
32. IS: 7153-1974 विषुव लेपन उत्तरोग में बहिः जात वे उपचार की मार्गदर्शिका	--	1975-4-30 को निर्धारित	
33. IS: 7514-1974 अलताप ग्रीज की विशिष्टि	--	--	
34. IS: 7515-1974 हाथ से छलने वाली स्प्रेशर में कट-आँफ करने के साधन की विशिष्टि	--	--	
35. IS: 7519-1974 हथौड़े से लगने वाले मैचों की विशिष्टि	--	--	
36. IS: 7523-1974 रवृष्टि कैथीटर (मूलाण्य) विशिष्टि	--	31-5-1975 को निर्धारित	
37. IS: 7524 (भाग 1)-1975 आंख-रक्षकों की परीक्षण पद्धतियां भाग 1 नेमी परीक्षण	--	--	
38. IS: 7532-1974 नरम सावुतों की विशिष्टि	--	--	
39. IS: 7538-1975 खेत में उपयोग के लिए अक्रमार्थी पम्पों के 3 फेज स्विचरिंग केज प्रेग्न मोटर की विशिष्टि	--	--	
40. IS: 7539-1975 कार्बोरेटर तकनीकी की विशिष्टि	--	--	
41. IS: 7540-1974 खाल में लगने वाले डेड (गति-राध) सालों की विशिष्टि	--	--	
42. IS: 7544-1975 समान्तर स्लर (रोलरलूमा) की विशिष्टि	--	--	
43. IS: 7553-1975 पावर चालित श्रौद्धोगिक ट्रूकों के नियन्त्रण प्रतीकों की विशिष्टि	--	--	
44. IS: 7554-1974 जूतों के स्फिटर की विशिष्टि	--	--	

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45.	IS : 7564 (भाग 2)-1974 इमारतों के माप सम्बन्धी सामंजस्य इमारतों के विधिक अंगों और उनकी जड़ों के विनायम सम्बन्धी मिफारिणे भाग ३ कार्य समूह २-आशु आवरण (इनवेलप)	--	--
46.	IS : 7567-1975 ऐपी वितरण प्रणालिकों के लिए स्वचल पुनः बन्द होने वाले स्वचल मर्किट ब्रेकर (रिक्लोजर) की विशिष्टि	--	--
47.	IS : 7568-1975 सामान्य कार्यों के लिए टखने तक के बूटी के प्रत्यक्ष साचे में ढाँचे तलों की विशिष्टि	--	--
48.	IS 7569-1975 प्रकाश स्रोतों में उपयोग के लिए छलवां प्रैक्टिसिक शीट की विशिष्टि	--	--
49.	IS : 7576-1974 रेणारी आवरण युक्त गुच्छे में बन्द हमीनलक्ष्म नाम्बे के तारों की विशिष्टि	--	--
50.	IS : 7580-1975 छनन सम्बन्धी (परिवहन) शब्दावली	--	--
51.	IS : 7581-1975 ताजी मछली की तुकानों सम्बन्धी बुनियादी अपेक्षाएँ	--	--
52.	IS : 7582-1975 ठोस ऐक किंग केकड़े के मांग की विशिष्टि	--	--
53.	IS : 7587 (भाग 1)-1975 खानों में तारों का लपेटने के लिए केज के निलम्बन गियर की विशिष्टि भाग 1 सामान्य अपेक्षाएँ	--	--
54.	IS : 7587 (भाग 4)-1975 खानों में तारों का लपेटने के लिए केज के निलम्बन गियर की विशिष्टि भाग 4 लिंगिल थेन	--	--
55.	IS : 7590-1975 सूखमजीधाण प्रेड के जिलेटिन की विशिष्टि	--	--
56.	IS : 7594 (भाग 2)-1975 चुम्बकीय इक्नि टेप भरने और उसे दुबारा बजाने के साज सामान (सुवास कैसेट) की विशिष्टि भाग 2 घरेलू प्रकार के	--	--
57.	IS : 7601-1975 सामान्य कार्यों के लिए फाइबर बोर्ड के द्रुओं की विशिष्टि	--	--
58.	IS : 7602-1975 विस्फोट और आतिशबाजी के बास्टों के लिए सीमा नोमेट की विशिष्टि	--	--
59.	IS : 7604-1975 लैंगथबार उपांगों की विशिष्टि	--	--
60.	IS : 7609-1975 शार्मियानों सम्बन्धी सामान्य अपेक्षाएँ	--	--
61.	IS : 7610 (भाग 1)-1975 मरीन ग्रावि के लिए प्रयुक्त ऊर्नी कपड़े की विशिष्टि भाग 1 सामान्य	--	--
62.	IS : 7610 (भाग 2)-1975 मरीन ग्रावि के लिए IS : 6054-1970 लिलयरर कपड़े की विशिष्टि प्रयुक्त ऊर्नी कपड़े की विशिष्टि भाग 2 लिलयरर कपड़ा	--	--
63.	IS : 7610 (भाग 3)-1975 मरीन ग्रावि के लिए IS : 6055-1970 माइज देने की फलालैन की देने का फलालैन	--	--
64.	IS : 7610-1975 हड्डियों के लिए प्रयुक्त सूखम और विस्तर प्रकार के साथ के छिल	--	--

1	2	3	4
65.	IS : 7672—1975 छलने वाले कागज रखने के फाईल के बंधक (फासनर) की विशिष्टि		
66.	IS : 7670—1975 यांत मम्बन्धी हड्डियों की ढेनी की विशिष्टि	—	—
67.	IS : 7677—1975 ऊरी दात मम्बन्धी नं० 1, 2, 3 के बाह्य लोवरों की विशिष्टि	—	—

इन भारतीय मानकों की प्रतियां विकी के लिए भारतीय मानक संस्था, मानक भवन, ९ वहारुगाह ज़कर मार्ग, नई दिल्ली-११०००२ में तभा इसकी शास्त्रीय कार्यालयः अहमदाबाद, बंगलौर, बम्बई, कलकत्ता, चंडीगढ़, हैदराबाद, कानपुर, मद्रास और पटना से खरीदी जा सकती है।

[सं० सी प्र० डी/१३:२]
प्र० श्री० राज, उपमहानिदेशक

MINISTRY OF CIVIL SUPPLIES AND CO-OPERATION

INDIAN STANDARDS INSTITUTION

Now Delhi, the 1977-05-19

S.O. 1892.—In pursuance of Sub-rule (2) of Rule 3 and Sub-regulations (2) and (3) of regulation 3 of Indian Standards Institution (Certification Marks) Rules and Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established on 30 June 1975 :—

SCHEDULE

Sl. No.	No. and Title of the Indian Standards Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Remarks, if any
1	2	3	4
1.	IS : 54—1975 Specification for green oxide of chromium for paints (First Revision)	IS : 54—1950 Specification for green oxide of Chromium for paints	..
2.	*IS : 133—1975 Specification for enamel, interior, (a) undercoating, (b) finishing Second Revision)	IS : 133—1965 Specification for enamel, interior, (a) undercoating, (b) finishing, colour as required (Revised)	*For purposes of ISI Certification Marks Scheme; IS : 133—1975 shall come into force with effect from 1975-11-01
3.	IS : 620—1975 Specification for general requirements for wooden tool handles (Third Revision)	IS : 620—1965 Specification for general requirements for wooden tool handles (Second Revisions)	--
4.	IS : 695—1975 Specification for acetic acid (Second Revision)	IS : 695—1967 Specification for acetic acid (First Revision)	Established on 1975-05-31
5.	IS : 834—1975 Specification for cotton yarn, grey, for hosiery (Second Revision)	*IS : 834—1970 Specification for cotton yarn, grey, for hosiery (First Revision)	*For purposes of ISI Certification Marks Scheme; IS : 834—1970 shall run concurrently with IS : 834—1975 upto 1975-09-30
6.	IS : 1200(Pt. VIII)—1974 Method of measurement of building and civil engineering works Part VIII steelwork and iron-work (Third Revision)	IS : 1200 (Pt. VIII)—1967 Method of measurement of building and civil engineering works Part VIII steelwork and iron-work (Second Revision)	--
7.	IS : 1730 (Pt. I)—1974 Dimensions for steel plate, sheet and strip for structural and general engineering purposes Part I plate (First Revision)	IS : 1730—1961 Dimensions for steel plate, sheet and strip for steel plate, sheet and strip for structural and general engineering purposes	--
8.	IS : 1865—1974 Specification for iron castings with spheroidal or nodular graphite (Second Revision)	IS : 1865—1968 Specification for iron castings with spheroidal or nodular graphite (First Revision)	--
9.	IS : 1921—1975 Specification for rosin-cored solder wire (First Revision)	IS : 1921—1961 Specification for rosin-cored solder wire, activated and non-activated (non-corrosive)	--
10.	IS : 2032 (Pt. VII)—1974 Graphical symbols used in electrotechnology Part VII switchgear and auxiliaries (First Revision)	IS : 2032(Pt VII)—1965 Graphical symbols used in electrotechnology Part VII switchgear and auxiliaries	--
11.	IS : 2749—1974 Specification for austenitic iron castings (First Revision)	IS : 2749—1964 Specification for austenitic iron castings	--

1	2	3	4
12. IS : 2771 (Pt. II)—1975 Specification for fibreboard boxes Part II solid fibreboard boxes (First Revision)	IS : 2771—1965 Specification for corrugated fibreboard boxes	—	—
13. IS : 2885—1975 Specification for frozen frog legs (First Revision)	IS : 2885—1964 Specification for frozen frog legs	—	—
14. *IS : 2933—1975 Specification for enamel, exterior, (a) undercoating, (b) finishing (First Revision)	IS : 2933—1964 Specification for enamel, exterior, Type 2 (a) undercoating, (b) finishing, colour as required	*For purposes of ISI Certification Marks Scheme; IS : 2933—1975 shall come into force with effect from 1975-11-01	—
15. IS : 3084—1975 Specification for pencil slats (First Revision)	IS : 3084—1965 Specification for pencil slats	—	—
16. IS : 3313—1974 Specification for steel filing cabinets for general office purposes (First Revision)	IS : 3313—1965 Specification for metal filing cabinet for general office purposes	—	—
17. IS : 3690—1974 Specification for unbonded glass wool for thermal insulation (First Revision)	IS : 3690—1966 Specification for glass wool mats for thermal insulation	—	—
18. IS : 3892—1975 Specification for frozen lobster tails (First Revision)	IS : 3892—1966 Specification for frozen lobster tails	—	—
19. IS : 3900—1975 Specification for ziram, technical (First Revision)	*IS : 3900—1966 Special for ziram, technical	*For purposes of ISI Certification Marks Scheme; IS : 3900—1966 shall run concurrently with IS : 3900—1975 up to 1975-09-30	—
20. IS : 4135—1974 Specification for hospital rubber sheetings (First Revision)	IS : 4135—1767 Specification for hospital rubber sheetings	—	—
21. IS : 4454 (Pt. II)—1975 Specification for steel wires for cold formed springs Part II oil hardened and tempered spring steel wire and valve spring wire-unalloyed (First Revision)	IS : 4454—1967 Specification for steel wires for cold formed springs	—	—
22. IS : 4941—1974 Specification for extracted honey (First Revision)	IS : 4941—1968 Specification for extracted honey	—	—
23. IS : 4964 (Pt. II)—1975 Specification for plain knitted cotton vests Part II vests (First Revision)	*IS : 4964—1968 Specification for plain knitted cotton vests	*For purposes of ISI Certification Marks Scheme; IS : 4964—1968 shall run concurrently with IS : 4964 (Pt. II)—1975 upto 1975-07-15.	—
24. IS : 5878 (Pt. VI)—1975 Code of practice for construction of tunnels Part VI steel lining	—	—	—
25. IS : 6297 (Pt. IV)—1974 Specification for transformers and inductors (power, audio, pulse and switching) for electronic equipment Part IV Pulse and switching transformers	—	—	—
26. IS : 7146 (Pt. IV)—1974 Methods of measurements on photosensitive devices Part IV Photomultipliers	—	—	—
27. IS : 7306—1974 Methods for determining synchronous machine quantities from tests	—	Established on 1975-05-31	—
28. IS : 7371—1975 Specification for blades, razor, safety	—	—	—
29. IS : 7422 (Pt. I)—1974 Symbols and abbreviations for use in geological maps, sections and subsurface exploratory logs Part I abbreviations	—	—	—
30. IS : 7422 (Pt. III)—1974 Symbols and abbreviations for use in geological maps, sections and subsurface exploratory logs Part III sedimentary rocks	—	—	—
31. IS : 7443—1974 Method for load rating of worm gears	—	—	—

1	2	3	4
32.	IS : 7453—1974 Guide for treatment of effluents of electroplating industry	—	Established on 1975-04-30
33.	IS : 7514—1974 Specification for grease, low temperature	—	—
34.	IS : 7515—1974 Specification for cut-off device for manually operated sprayer	—	—
35.	IS : 7519—1974 Specification for hammer drive screws	—	—
36.	IS : 7523—1974 Specification for rubber catheter (urinary)	—	Established on 1975-05-31
37.	IS : 7524 (Pt. I)—1975 Methods of test for eye protectors Part I routine tests	—	—
38.	IS : 7532—1974 Specification for soft soap	—	—
39.	IS : 7538—1975 Specification for three phase squirrel cage induction motors for centrifugal pumps for agricultural application	—	—
40.	IS : 7539—1975 Specification for carbaryl, technical	—	—
41.	IS : 7540—1974 Specification for mortice dead locks	—	—
42.	IS : 7544—1975 Specification for parallel ruler (roller type)	—	—
43.	IS : 7553—1975 Specification for control symbols for powered industrial trucks	—	—
44.	IS : 7554—1974 Specifications for stiffeners	—	—
45.	IS : 7564 (Pt. II)—1974 Recommendations for co-ordination of dimensions in buildings—arrangement of building components and assemblies Part II functional group 2—External envelope	—	—
46.	IS : 7567—1975 Specification for automatic reclosing circuit-breakers (automatic circuit reclosers) for ac distribution systems	—	—
47.	IS : 7568—1975 Specification for direct moulded sole (DMS) ankle boots for general purposes	—	—
48.	IS : 7569—1975 Specification for cast acrylic sheets for use in luminaires	—	—
49.	IS : 7576—1974 Specification for bunched enamelled copper wires with silk covering	—	—
50.	IS : 7580—1975 Glossary of mining terms (transport)	—	—
51.	IS : 7581—1975 Basic requirements for fresh-fish steaks	—	—
52.	IS : 7582—1975 Specification for crab meat, solid packed	—	—
53.	IS : 7587 (Pt. I)—1975 Specification for cage suspension gear for winding in mines Part I general requirements	—	—
54.	IS : 7587 (Pt. IV)—1975 Specification for cage suspension gear for winding in mines Part IV Bridle chains	—	—
55.	IS : 7590—1975 Specification for gelatin, microbiological grade	—	—
56.	IS : 7594 (Pt. II)—1975 Specification for magnetic sound tape recording and reproducing equipment (portable cassette) Part II domestic type	—	—
57.	IS : 7601—1975 Specification for fibreboard drums for general purpose	—	—
58.	IS : 7602—1975 Specification for lead chromate for explosive and pyrotechnic compositions	—	—

1	2	3	4
59. IS : 7604—1975 Specification for length bar accessories	—	—	—
60. IS : 7609—1975 General requirements for tents	—	—	—
61. IS : 7610 (Pt. I)—1975 Specification for machinery fabrics, wool Part I general	—	—	—
62. IS : 7610 (Pt. II)—1975 Specification for IS : 6054—1970 Specification for clearer cloth machinery fabrics, wool Part II clearer cloth	—	—	—
63. IS : 7610 (Pt. III)—1975 Specification for IS : 6055—1970 Specification for sizing flannel machinery fabrics, wool Part III sizing flannel	—	—	—
64. IS : 7650—1975 Specification for drill, hand, bone, universal, micro and Kirschner	—	—	—
65. IS : 7672—1975 Specification for fastener, file, loose-leaf, ring type	—	—	—
66. IS : 7676—1975 Specification for chisel, osseous, dental	—	—	—
67. IS : 7677—1975 Specification for exolevers, apical, dental, No. 1, 2 and 3	—	—	—

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and also its branch offices at Ahmedabad, Bangalore, Bombay, Calcutta, Chandigarh, Hyderabad, Kanpur, Madras and Patna.

[No. CMD/13 : 2]

A.B. RAO, Dy. Director General

पेट्रोलियम मंत्रालय

नई दिल्ली, 11 मई, 1977

का० आ० 1893.—यह पेट्रोलियम पाहपलाइन (भूमि के उपयोग के अधिकार प्रर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 वी उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का० आ० मा० 2301 तारीख 4-6-76 द्वारा केन्द्रीय सरकार ने यह अधिसूचना में सन्तुलन ग्रन्त्यूची में विनिष्ट भूमियों के उपयोग के अधिकार को पाहप लाइन के विकास के लिए अंजित करने का अपना आशय घोषित कर दिया था।

और यह सभी प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को शिरीँहं दे दी है।

और आगे यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में सन्तुलन ग्रन्त्यूची में विनिष्ट भूमियों में उपयोग का अधिकार प्राहप लाइन विकास के प्रयोजन के लिये एवं द्वारा अंजित किया जाता है।

अब, अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदान शक्ति का प्रयोग करने द्वा० केन्द्रीय सरकार एवं द्वारा औपित करनी है कि इस अधिसूचना में सन्तुलन ग्रन्त्यूची में विनिष्ट उक्त भूमियों में उपयोग का अधिकार प्राहप लाइन विकास के प्रयोजन के लिये एवं द्वारा अंजित किया जाता है।

और, आगे उम द्वारा की उपधारा (4) द्वारा प्रदान शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से विहित होने के बजाय तेल और प्राकृतिक गैस आयोग से, मरी सरकार से मुक्त रूप में, इस घोषणा के प्रकाशन की इस नारीख का निर्माण होगा।

अनुसूची

अधिन धोव पा० शौ० मार० मे० 207 से जौ०ज०ग०म०-1 तक के लिये
आ०र० शौ० दू०

राज्य : गुजरात जिला : महमाना तालुका महमाना

गांव	लाला न०	हेस्टेशन	एकारहि भेटियर
पुनामन	405	0	0.4 32
	104/1	0	10 08

[पा० 12016/5/76-एत एड एत]

MINISTRY OF PETROLEUM

New Delhi, the 11th May, 1977

S.O. 1893.—Whereas by a notification of the Govt. of India in the Ministry of Petroleum, S.O. No. 2301 dated 9-6-76 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the Right of User in the lands specified in the schedule appended to this notification;

Now therefore in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the

said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines,

And further in exercise of the power conferred by subsection (4) of that Section, the Central Government direct, that the right of use in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

ROU for DS SDR to ROU of 207 to GGS-I
State Gujarat District Mehsana Taluka Mehsana

Village	Block No	Hectare	Are	Centiares
Punasam	405	0	04	32
	404/1	0	10	08

(No. 12016/5/76 - Prod 1)

त्रिं दि-र्ग ३। मंत्र १९२२

कांग्रेस 1894—यन पेट्रोलियम पाइपलाइन (भूमि के उपर्याप्त क्षेत्रों का अधिकार प्राप्तन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार ने पेट्रोलियम और ग्राम्य मस्तकालय (पेट्रोलियम विभाग) को अधिकृत बना कांग्रेस 1960 मा० 2288 शारीक 24-5-76 द्वारा नेत्रीय सरकार ने उम्मीद अधिकृत बना सक्षम अनुसूची में विनियोगिता भूमियों के उपर्याप्त के अधिनाराओं पाइप ताइन का विभाग के प्रयोगन के लिए अनिवार्य बताया था।

और यह मध्यम पाश्चात्याग ने उक्त अधिनियम को लाभ ही उपधारा (1) के अधीन सरकार वा गिरावट दे दी है।

प्रीत आगे, या कृष्णार्थ मरकार ने उन्हें पर विचार करने के पश्चात् इस प्रविष्टिका में भलमन अनपूर्ची में विनिर्दिष्ट श्रमिया में उपयोग का अधिकार अर्जित करने का विनियम बना दिया है।

अथ अब उक्त प्रधिनियम की धारा ६ की उपर्याग (१) द्वारा प्रदत्त गविन का प्रयोग करने हुए वृत्तीय सरकार एन्ड वारा घोषित करता है कि हम प्रधिनियम में संशय अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपर्याग का अधिकार पाइप लाइन शिक्षान के प्रयोजन ५ लिंब एन्ड वारा घोषित किया जाता है।

ओर, प्रागे उस धारा की उपधारा (४) द्वारा यह संशोधित का प्रयाग कर्त्तव्य सुपुणे केन्द्रीय सरकार निवेश बेंची है कि उन्हें भूमियों से उपयोग का अधिकार केन्द्रीय सरकार में विद्वित होने के बजाय तेज़ ओर प्राकृतिक रौप्यों के लिए सर्वान्वयन में सर्वान्वयन संस्थान लूप से इस धारणा के प्रसारण का इस तारीख का विद्वित होगा।

अतस्त्री

कृपम् ० एम् ० एन् ० व०-१ मेरी जा० एग०-१ नक भमि के उपयोग का अधिकार
राज्य गजबाल जिला ब्राह्म नालवा हुसाट

गाव	ठाकर नं०	हेक्टेयर	प्राप्ति रुपयटियर
कुवादगा	149	0	0.4
	148	0	1.1
	116	0	0.7
	151	0	1.8
	152	0	0.4
पांडे,		0	0.4
	135	0	1

1	2	3	4	5
गोदान	267	0	0.3	9.6
	54	0	1.1	4.1
	267	0	2.1	7.1
	266	0	0.1	9.5
	264	0	1.1	8.3
	361	0	1.3	7.8
कार्यालय	362	0	0.1	10.0
	362	0	1.3	4.0
काट देख	362	0	0.1	9.8
	509	0	0.1	1.3
	806	0	1.5	1.2
	907	0	0.2	3.6
	506	0	0.1	1.6
	505	0	1.0	2.1
	504	0	1.1	1.8
	503	0	2.2	1.7
	501	0	2.7	5.7
	174	0	0.5	0.7
	174/10	0	4	6.5
	176/प्रौ	0	0.9	3.1
	199	0	1.5	6.3
	198	0	1.1	3.6
	497	0	2	8.1
	490	0	1.4	9.7
	491	0	1.5	8.5
	492	0	0.3	5.5
	169	0	0.2	3.4
गतेश्वर भ				
कालम	78	0	1.1	7.1
	92	0	0.1	5.5
	81	0	0.2	6.6
	80	0	1.3	6.1
	79	0	0.5	4.3
डिग्री	264	0	0.9	1.9
	262/1 एवं	0	1.9	7.9
	265/1	0	1.5	1.3
	266/2	0	0.3	4.9
	267	0	0.5	9.3
	268	0	1.3	0.6
मोलबन	जिला शोव. नामुका अक्षयर			
	130	0	0.5	1.5
	129	0	1.8	8.5
	128	0	2.2	7.5
	127/1	0	0.6	2.6
	127/2	0	1.2	2.7
	125	0	0.5	8.5
	108	0	0.7	0.2
	106	0	3.2	8.4
	198/1	0	0.5	2.0
	101/1	0	1.0	4.0
	112	0	1.1	1.0
	114/2	0	0	6.7

1	2	3	4	5
113/1-ए	0	11	18	
98/1	0	12	48	

[सं० 12016/3/76-एल एल]
दी० पी० सुब्रह्मनियन, मवर सचिव

New Delhi, the 21st May, 1977

S.O. 1894.—Whereas by a notification of the Govt. of India in the Ministry of Petroleum & Chemicals (Department of Petroleum) S.O. No. 2288 dated 24-5-76 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of the power conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

R.O.U. from Well No. SNK—1 To GGS-I

State : Gujarat District : Broach Taluka : Hansot

Village	Block No.	Hectare	Are	Centiarc
Kudadra	149	0	04	64
	148	0	14	23
	146	0	07	91
	151	0	18	43
	152	0	04	68
	Cart-track	0	02	36
	135	0	40	37
Rohit	257	0	03	96
	258	0	14	44
	267	0	21	51
	266	0	01	95
	264	0	11	83
	361	0	13	78
	Cart-track	0	01	90
	362	0	39	40
	Cart-track	0	01	98
	509	0	01	43
	508	0	15	12
	507	0	02	36
	506	0	04	16
	505	0	10	27
	504	0	04	48
	503	0	02	47
	501	0	25	57

1	2	3	4	5
Rohit Cont'd.	474	0	05	07
	476/A	0	04	68
	476/B	0	08	31
	499	0	15	83
	498	0	11	36
	497	0	02	84
	490	0	14	97
	491	0	05	85
	492	0	09	55
	469	0	02	34
	Survey No.			
Kalam	28	0	11	71
	82	0	01	55
	81	0	02	66
	80	0	13	84
	79	0	05	99
Digas	264	0	09	49
	262/1+2	0	19	79
	265/1	0	15	43
	266/2	0	09	49
	267	0	05	93
	268	0	13	06
Motwan	District : Broach	Taluka : Ankleshwar		
	130	0	05	15
	129	0	18	85
	128	0	22	75
	127/1	0	06	76
	127/2	0	12	27
	125	0	95	85
	108	0	07	02
	106	0	32	84
	195/1	0	05	20
	101/1	0	10	40
	100/2	0	04	16
	113/2	0	07	67
	113/1-A	0	11	18
	98/1	0	12	48

[No. 12016/3/76-L & L]

T. P. SUBRAHMANYAN, Under Secy.

इस्पात और खान मंशासंघ

(खान विभाग)

नई इल्ली, 14 फ्रैल, 1977

का० आ० 1895.—सरकारी भवन (अधिकृत प्रधिमोत्तियों की बेशब्दी) अधिनियम, 1971 की धारा 3 के द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निम्नलिखित सारणी के कालम 1 में उल्लिखित अधिकारी को जिसका रैक सरकार के राजपत्रित अधिकारी के नमकम है उक्त अधिनियम के प्रयोगन हेतु एतद्वाग सम्बद्ध अधिकारी नियुक्त करती है, जो उक्त सारणी के कालम 2 में विनिर्दिष्ट सरकारी भवनों के संबंध में उक्त अधिनियम के द्वारा या अन्तर्गत सम्बद्ध अधिकारी को प्रदत्त प्रधिकारों और सौंपे गए कार्यों का अपने खेत्र की सीमा में रखे हुए करेगा।

New Delhi, the 23rd April, 1977

S.O. 1897. — Whereas M/s. H. F. Jastoor, Principal, College of Nursing, Byramjee Jeejibhoy Medical College, Ahmedabad, (Gujarat) has been elected to be member of the Indian Nursing Council, under clause (b) of sub-section (1) of section 3 read with sub-section (4) of section 6, of the Indian Nursing Council, Act, 1947 (48 of 1947) with effect from the 26th December 1976 vice Mrs. M. Delima resigned;

Now, therefore in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. F. 27-57/M. II(B), dated the 1st December, 1958, namely:—

In the said notification, under the heading "Elected under clause (b) of the sub-section (1) of section 3", for serial No. 2 and the entry relating thereto, the following serial number and entry shall be substituted namely:—

"2. Mrs. H. F. Dastoor,

Principal, College of Nursing,
Byramjee Jeejibhoy Medical College,
Ahmedabad (Gujarat)."

[No. V. 14013/1/76-MPT]

तर्फ दिल्ली, 19 मई, 1977

क्रा० श्रा० 1898—यह केन्द्रीय सरकार ने भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (क) के अनुसरण में डा० जी०पी० श्रीवास्तव, भवित्व और निदेश स्वास्थ्य तथा समाज कल्याण, मिक्रिम सरकार को, मिक्रिम गज्ज सरकार से परामर्श द्वारा 18 फरवरी, 1977 से भारतीय चिकित्सा परिषद् का सदस्य मनोनीत किया है,

अब: अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एन्डवारा भूतपूर्व स्वास्थ्य मन्त्रालय भारत सरकार द्वारा 9 जनवरी, 1960 की अधिसूचना सं० 5-13/59-एम० 1 में आगे निम्नलिखित संशोधन करनी है, अधर्मः—

उक्त अधिसूचना में "धारा 3 की उप-धारा (1) के खण्ड (क) के अधीन निर्वाचित" शीर्ष के अन्तर्गत क्रम संख्या 18 और संस्कर्धी प्रविष्टि के पश्चात् निम्नलिखित क्रम संख्या और प्रविष्टि रखी जाएगी—

"19 डा० जी०पी० श्रीवास्तव,
सचिव और निवेशक, स्वास्थ्य और समाज कल्याण,
मिक्रिम सरकार,
गंगटोक।"

[मा० बी० 11013/1/77-एम०पी०टी०]

New Delhi, the 19th May, 1977

S.O. 1898.—Whereas the Central Government have in pursuance of clause (ii) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), nominated, in consultation with the Government of the State of Sikkim, Dr. G. P. Srivastava, Secretary and Director of Health and Social Welfare, Government of Sikkim, to be a member of the Medical Council of India, with effect from the 18th February, 1977;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification, under the heading "Nominated under clause (a) of sub-section (1) of section 3", after serial

number 18 and the entry relating thereto, the following serial number and entry shall be inserted, namely:—

"19. Dr. G. P. Srivastava,
Secretary and Director of Health and
Social Welfare,
Government of Sikkim,
Gangtok."

[No. V. 11013/1/77-MPT]

क्रा० श्रा० 1899.—यह भारतीय चिकित्सा परिषद् अधिनियम, 1956—1956 का 102 की धारा 3 की उप-धारा (1) के खण्ड (क) के अनुसरण में निम्नलिखित व्यक्तियों को उनके नाम के आगे निर्दिष्ट विश्वविद्यालय द्वारा उस शारीर से भारतीय चिकित्सा परिषद् का सदस्य निर्वाचित कर लिया गया है जो उनके नाम के आगे दी हुई है, प्रथात्—

व्यक्ति का नाम	विश्वविद्यालय का नाम	निर्वाचन की तारीख
आचार्य सुधाकर, पेटाहन माही, कटक, उड़ीसा।	उत्कल विश्वविद्यालय	11-3-1977
डा० आई०पी० श्रेष्ठवाल, डीन एम० जी० एम० मेडिकल कालेज, इटार	इटोर विश्वविद्यालय	24-3-1977

अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एन्डवारा भूतपूर्व स्वास्थ्य मन्त्रालय, भारत सरकार की 9 जनवरी, 1960 की मद्दूवासा सं० 5-13/59-एम० 1 में आगे निम्नलिखित मशीधन करती है—

उक्त अधिसूचना में "धारा 3 की उप-धारा (1) के खण्ड (क) के अधीन निर्वाचित" शीर्ष के अन्तर्गत क्रमांक 10 और 33 तथा उनकी प्रविष्टियों के स्थान पर असम: निम्नलिखित क्रमांक और प्रविष्टियाँ रखी जाएंगी, अधर्मः—

"10. आचार्य सुधाकर,
पेटाहन माही,
कटक, उड़ीसा।

33. डा० आई०पी० श्रेष्ठवाल,
डीन एम० जी० एम० मेडिकल कालेज,
इटोर।"

[मा० बी० 11013/1/77-एम०पी०टी०]
एम० श्रीनिवासन, उप-मन्त्री

S.O. 1899.—Whereas in pursuance of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the following persons have been elected by the University specified against each of them to be members of the Medical Council of India with effect from the date noted against each, namely:—

Name of the person	Name of the University	Date of election
Acharya Sudhakar, Petyn Sahi, Cuttack, Orissa.	Utkal University	11-3-1977
Dr. I.P. Agrawal, Dean M.G. Medical College, Indore.	Indore University	24-3-1977

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Health No. S-13/59-MI, dated the 9th January, 1960, namely—

In the said notification, under the heading "Elected under clause (b) of sub-section (1) of section 3", for serial numbers 10 and 33 and the entries relating thereto the following serial numbers and entries shall respectively be substituted, namely—

"10. Acharya Sudhakar,

Petyn Sahi,
Cuttack, Orissa.

33. Dr I.P. Agrawal,
Dean, M.G. Medical College,
Indore"

[No. V. 11013/1/77-MPT]
S. SRINIVASAN, Dy Secy

नई दिल्ली, 18 मई, 1977

का० आ० 1900—भारत सरकार, स्वास्थ्य और परिवार कल्याण मंत्रालय की 23 अप्रैल, 1977 की अधिसूचना गद्या थी० 17020/25/77-एम० ई० (पी०जी०) एनवडारा नहीं जाएगी है।

[म० वी० 17020/25/77-एम० ई० (पी०जी०)]
प्रकाश चंद्र जेन, डेस्क अधिकारी

New Delhi, the 18th May, 1977

S.O. 1900.—The Government of India Ministry of Health and Family Welfare Notification No. V. 17020/25/77-ME (PG), dated the 23rd April, 1977, is hereby cancelled.

[No. V. 17020/25/77 ME(PG)]
P. C. JAIN, Desk Officer

कृषि और सिंचाई मंत्रालय

(पाम शिकास विभाग)

नई दिल्ली, 16 मई, 1977

का० आ० 1901—वनस्पति नेतृ श्रेणीकरण और चिन्हाकन नियम, 1955 मे० और स्थानीय नन्दने के लिए निम्नलिखित प्राप्ति जिसे नेतृत्वीय सरकार कृपि उपज (श्रेणीकरण और चिन्हाकन) प्रश्नियम 1937

अनुसूची IX

एंड्रू के नेतृ की क्वालिटी का एग्रीकल्चर श्रेणी अधिधान और परिभाषा
(नियम 3 और 4 देखिए)

श्रेणी अधिधान	प्रिवरण	नेतृ स्तर की क्वालि मे०	1" से० मे० लोवीबोइ स्केल विशिष्ट गुणत्व 30/30 अपवर्तनाम 40 से० पर रग बाई+५ आर, से० पर	पर
2. विशेष	2	3	4	5
2. विशेष	वहो—	—	—	0 954 से 0 960
				1 4700 स 1 4710

(1937 का १) की भाग ३ द्वारा प्रदत्त श्रेणियों का प्रयोग बरते हुए बताया जाहानी है, उक्त धारा की अपेक्षानुसार उन सभी व्यक्तियों के सूचनार्थ, जिनका इसमें प्रमाणित होना सम्भाल्य है, प्रकाशित किया जाता है तथा यह सूचना दी जाती है कि उक्त प्राप्ति संशोधन पर राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 4 दिन के पश्चात विचार किया जाएगा।

उक्त प्राप्ति के सम्बन्ध में विनिश्चित तारीख से पूर्व किसी व्यक्ति से प्राप्त होने वाले आधेंगा या सूचावा पर केन्द्रीय सरकार द्वारा विचार किया जाएगा।

प्राप्ति नियम

1 इन नियमों वा नाम वनस्पति नेतृ श्रेणीकरण और चिन्हाकन (स्थानीय) नियम, 1977 है।

2 वनस्पति तथा अग्रांकरण और चिन्हाकन

नियम, 1955-

(i) अनुसूची IV में सर्वोत्तम तेल के लिए स्तरम् 2 श्रीरंक के नीचे श्रेणी 1 (खाने योग्य के पश्चात "श्रेणी 1" कमस्तार बाला (खाने योग्य) को अन्य स्तरम् में तत्पानी मृद्या के माथे हटा दिया जाएगा।

(ii) श्रेणी 2 (खाने योग्य) के मामने स्तरम् श्रीरंक "प्राक्तिक अग्रांकरण तेल प्रतिशत (जैसे निमिसोथियोसाइनेट)" के अन्तर्गत प्रविलिंगमा के श्वास पर निम्ननिश्चित प्रविलिंग रखी जाएगी, अर्थात् —

"0.10 से 0.60"

(iii) अनुसूची 9 मे० एरेड तेल के लिए स्तरम् 1 मे० "प्रौपधीय" श्रेणी के मामने स्तरम् 111 और 13 मे० की प्रविलिंगों के स्थान पर कमण निम्ननिश्चित प्रविलिंग रखी जाएगी, अर्थात् —

"3.5 (1" के मेल मे०)" "2.0 और 0.25"

(iv) स्तरम् 14 "मे० स्तरम् श्रीरंक 'राष्ट्र'" और उसकी सभी श्रणियां को हटा दिया जाएगा।

(v) अनुसूची स्तरम् "1" के अन्तर्गत श्रेणी अधिधान 'श्रीपधीय' और उसमें सम्बन्धित प्रविलिंगों के पश्चात निम्ननिश्चित श्रेणी अमिसान और प्रविलिंग ग्रेड जाएगी, अर्थात् —

मानवर्तीकर यात्रा

पारोसिन गाम

एमीटिंग गाम (से कम नहीं)

ग्राम

प्रस्तुति वर्तना पदार्थ

प्रस्तुति मात्र (में प्रधिक नहीं)

श्राकोहल में कॉन्फिन विल-
यन नाम (में कम)

7

8

9

10

11

12

177 से 187

82 से 90

140 00

—

2 0

—

नवी एवं श्रावनिया (बजन 1 दे०मी० मोटाई में 19.5
में प्रतिशत में प्रधिक नहीं) रो० 20 5 से० पर आणि-
का रोटेशन (प्राकाणीय शूर्णन)
(से कम नहीं)

निलेपता

परचात

13

14

15

16

+ 3 5

श्राकोहल (95 प्रतिशत) के 2.5 भाग में लाइट पैट्रोलियम के आयतन (शाल्म) के विलेय; नियंत्रित श्राकोहल और ऐशल ऐमिटिंग प्रस्तुत के साथ मिश्रणीय होगा।

मीमा 40° से० में 60° मे०) तथा केवल दो आयतन (शाल्म) में प्रांशिक विलेय।

[म० 13-2/76-ए० एम०]
ए० क० अप्राप्त, उप-मन्त्रिम

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Rural Development)

New Delhi, the 16th May, 1977

S.O. 1901.—The following draft of rules further to amend the Vegetable Oils Grading and Marking Rules, 1955 which the Central Government propose to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration after 45 days from the date of publication of this Notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect of the said draft before the date specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Vegetable Oils Grading and Marking (Amendment) Rules, 1977.

2. In the Vegetable Oils Grading and Marking Rules, 1955,—

- (i) in Schedule IV, for Mustard Oil under column heading "Grade I low pungency (edible)" appearing after the Grade I (edible), along with the corresponding values in other columns shall be deleted.
- (ii) against Grade II (edible), the values under column heading "percentage of natural essential oil (as allyl-isothiocyanate)" for the entries, the following entries shall be substituted, namely :—"0.10 to 0.60";
- (iii) in Schedule IX for Castor Oil against grade "Medicinal" in column 1, for entries in column 4, 11 and 13, the following entries shall respectively be substituted, namely :—"3.5 (in 1" cell)" "20 and 0.25";
- (iv) in column 14, the column heading "Ash" and all grades shall be deleted;
- (v) after the Grade designation 'Medicinal' under column '1' and the entries relating thereto, the following grade designation and entries shall be inserted, namely :—

SCHEDULE IX

Agmark Grade Designations and Definitions of Quality for Castor Oil
(See Rules 3 and 4)

Grade Designation	Description	Clarity in height of column of oil (inches through which Bourgeois print can be read in a 100 ml. Nessler Tube)	Colour on lovibond scale	Specific gravity at 30°/30°C	Refractive Index at 40°C	Saponification value	Iodine Value
1	2	3	4	5	6	7	8
2. Special	—do—	—	—	0.954 to 0.960	1.4700 to 1.4740	177 to 187	82 to 90

Acetyl Value (Not less than)	Unaponifiable matter (Not more than)	Acid Value (Not more than)	Critical Soln temperature in alcohol below	Moisture and impurities (Not exceeding per cent by weight)	Optical rotation at 19.5 to 20.5° C on 1 dm thick- ness (Not less than)	Solubility	Identification
9	10	11	12	13	14	15	16
—	—	2.0	—	—	+3.5	Soluble in 2.5 parts of alcohol (95%); Misci- ble with dehy- drated alcohol, and with glacial acetic acid.	Miscible with half its volume of light petro- leum (boiling range 40° to 60 C) and only partially soluble in two volumes.

[No. 13-2/76-A M]

A. K. AGGARWAL, Dy. Secy.

(कृषि विभाग)

तर्फ़ दिल्ली 24 मई, 1977

का० अ० 1904—ग्राम कुरना निवारण अधिनियम, 1960 (1960 का 59) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों द्वारा प्रयोग करने हुए केन्द्रीय सरकार गत द्वारा तारीख 24-5-1977 को उत्तर अधिनियम के अध्याय 5 के उपचारों का जम्मू तथा कश्मीर की ओडिकर अन्य यसी राज्यों तथा सभ राज्य और त्रिभाग में जहाँ यह अधिनियम लाग छोगा वहाँ इसे की तरीख निर्दिष्ट करती है।

[मल्या 14-22/76-एल० डी० १]

पौ० जी० गमरिखानी, उप-मन्त्री

(Department of Agriculture)

New Delhi, the 24th May, 1977

S.O. 1902.—In exercise of the powers conferred by sub-section (3) of section 1 of the Prevention of Cruelty to Animal Act, 1960 (59 of 1960), the Central Government hereby appoints the 24th day of May, 1977 as the date on which the provisions of Chapter V of the said Act shall come into force in the all States and Union Territories to which this Act extends (except Jammu & Kashmir).

[No. 14-22/76-L D I.]

P. G. RAMRIKHANI, Dy. Secy.

नौवहन और परिवहन मंत्रालय

(परिवहन विभाग)

तर्फ़ दिल्ली, 20 मई, 1977

का० अ० 1903—केन्द्रीय सरकार डाक कर्मकार (नियोजित का विनियमन) अधिनियम 1948 (1948 का 9) की धारा 5वा द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए—डाक प्रबन्धक मुस्खई पत्तन न्यास को मुस्खई डाक अम बोर्ड के सदस्य के रूप में नियुक्त करती है और नियंत्रण देती है कि भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन विभाग) की अधिसूचना म० का आ० 3437 तारीख 28 विसम्बर, 1974 में निम्ननिर्धित समाधन किया जाएगा, प्रथम।—

उक्त अधिसूचना में, शीर्षक 'केन्द्रीय सरकार का प्रतिनिधित्व करने वाले मंत्री' के सामने, प्रविष्ट 'प्रादेशिक अम आयकत (केन्द्रीय), कलकत्ता', के स्थान पर प्रविष्ट 'यानायास प्रबन्धक कलकत्ता' पत्तन न्यास, कलकत्ता' रखी जाएगी।

[म० एल०टी०आ०/16/77-टी० ४-१]

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 20th May, 1977

S.O. 1903.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) the Central Government hereby appoints the Docks Manager, Bombay Port Trust as a member of the Bombay Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No SO 3437, dated the 28th December, 1974, namely—

In the said notification before the heading "Members representing the Dock Workers", against item (3) for the entity 'The Regional Labour Commissioner (Central) Bombay', the entry "The Docks Manager, Bombay Port Trust" shall be substituted.

[No. 140/46/77-D IV-I]

का० अ० 1904—केन्द्रीय सरकार, डाक कर्मकार (नियोजित का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5वा द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए यानायास प्रबन्धक कलकत्ता पत्तन न्यास, कलकत्ता को कलकत्ता डाक अम बोर्ड के सदस्य के रूप में नियुक्त करती है और नियंत्रण देती है कि भारत सरकार के भतपूर अम, रोजगार और पुनर्वास मंत्रालय (अम और रोजगार विभाग) की अधिसूचना म० का० अ० 132, तारीख 7 अप्रैल 1967 में निम्ननिर्धित समोदर्धन विभाग जाएगा, प्रथम।—

उक्त अधिसूचना में, शीर्षक 'केन्द्रीय सरकार का प्रतिनिधित्व करने वाले मंत्री' के सामने, प्रविष्ट 'प्रादेशिक अम आयकत (केन्द्रीय), कलकत्ता', के स्थान पर प्रविष्ट 'यानायास प्रबन्धक कलकत्ता' पत्तन न्यास, कलकत्ता' रखी जाएगी।

[म० एल०टी०आ०/46/77-टी० ४-१]

S.O. 1904.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) the Central Government hereby appoints the Traffic Manager, Calcutta Port

Trust, Calcutta as a member of the Calcutta Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (the Department of Labour and Employment) No. S.O. 1322 dated the 7th April, 1967, namely :—

In the said notification under the heading "Members representing the Central Government" against item (3), for the entry "The Regional Labour Commissioner (Central), Calcutta", the entry "The Traffic Manager, Calcutta Port Trust, Calcutta" shall be substituted.

[No. LDO/46/77-D IV-II]

S.O. 1905.—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क द्वारा प्रत्यन शक्तियों का प्रयोग करने हुए, यातायात प्रबन्धक, मद्रास पतन न्याय, मद्रास की मद्रास डाक थम बोर्ड के सदस्य के स्पष्ट में नियुक्त करनी है और नियंत्रण केंद्रीय भवन के नीचे है कि भारत सरकार के भूतपूर्व थम, गोत्रगार और पुनर्वास मंत्रालय (थम और गोत्रगार विभाग) की अधिसूचना सं ३० का० आ० 3805, तारीख 26 अक्टूबर, 1968 में निम्नलिखित संशोधन किया जाएगा, अर्थात् —

उक्त अधिसूचना में, शीर्षक 'केन्द्रीय सरकार का प्रतिनिधित्व करने वाले सदस्य' के नीचे, मद (3) के सामने, प्रविष्टि, 'प्रांतिक थम आयुक्त (केन्द्रीय), मद्रास', के स्थान पर प्रविष्टि 'यातायात प्रबन्धक, मद्रास पतन न्याय, मद्रास' रखी जाएगी।

[म० एन०टी०ओ०/१६/७७-डी० ४-III]

S.O. 1905.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) the Central Government hereby appoints the Traffic Manager, Madras Port Trust, Madras as a member of the Madras Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) S.O. 1692, dated the 31st May, 1975, namely :—

In the said notification under the heading "Members representing the Central Government", against item 3 for the entry "The Regional Labour Commissioner (Central), Madras", the entry "the Traffic Manager, Madras Port Trust, Madras" shall be substituted.

[No. LDO/46/77-D IV-III]

S.O. 1906.—केन्द्रीय सरकार डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क द्वारा प्रत्यन शक्तियों का प्रयोग करने हुए, यातायात प्रबन्धक, कोरीन पतन न्याय, कोरीन की कानून डाक थम बोर्ड के सदस्य के स्पष्ट में नियुक्त करनी है, और फैदेण देनी है कि भारत सरकार के नीचे हैं और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं ३० का० आ० 3281, तारीख 14 दिसंबर, 1971 में निम्नलिखित संशोधन किया जाएगा, अर्थात् —

उक्त अधिसूचना में, शीर्षक 'डाक कर्मकारों का प्रतिनिधित्व करने वाले सदस्य' से 'थम, मद (4)' के सामने, प्रविष्टि 'मद्रास थम आयुक्त (केन्द्रीय), एन्ऱारु नम', के स्थान पर प्रविष्टि 'यातायात प्रबन्धक, कोरीन पतन न्याय, कोरीन' रखी जाएगी।

[म० एन०टी०ओ०/१६/७७-डी० ४-IV]

S.O. 1906.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) the Central Government hereby appoints Traffic Manager, Cochin Port Trust, Cochin as a member of the Cochin Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of

Shipping and Transport (Transport Wing) No. S.O. 3281, dated the 11th December 1971, namely :—

In the said notification before the heading "Members representing the Dock Workers, against item (4), for the entry "The Assistant Labour Commissioner (Central), Kandla", the entry "the Traffic Manager, Cochin Port Trust, Cochin", shall be substituted.

[No. LDO/46/77-D IV IV]

S.O. 1907.—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क द्वारा प्रत्यन शक्तियों का प्रयोग करने हुए, उप यातायात प्रबन्धक काण्डला पतन न्याय, गोत्रगार (कच्छ) का काण्डला नाम थम बोर्ड के सदस्य के स्पष्ट में नियुक्त करनी है और नियंत्रण देनी है कि भारत सरकार के भूतपूर्व थम, गोत्रगार और पुनर्वास मंत्रालय (थम और गोत्रगार विभाग) की अधिसूचना सं ३० का० आ० 3805, तारीख 26 अक्टूबर, 1968 में निम्नलिखित संशोधन किया जाएगा, अर्थात् :—

उक्त अधिसूचना में, शीर्षक 'केन्द्रीय सरकार का प्रतिनिधित्व करने वाले सदस्य' के नीचे मद (5) के सामने प्रविष्टि, 'महायक थम आयुक्त (केन्द्रीय), ग्रादिगुर', के स्थान पर प्रविष्टि 'उप यातायात प्रबन्धक काण्डला पतन न्याय गोत्रगार' रखी जाएगी।

[म० एन०टी०ओ०/१६/७७-डी० ४-V]

S.O. 1907.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) the Central Government hereby appoints the Deputy Traffic Manager, Kandla Port Trust, Gandhidham (Kutch) as a member of the Kandla Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) S.O. No. 3805, dated the 26th October, 1968, namely :—

In the said notification under the heading "Members representing the Central Government" against item 5, for the entry "the Assistant Labour Commissioner (Central), Adipur", the entry "the Deputy Traffic Manager, Kandla Port Trust, Gandhidham" shall be substituted.

[No. LDO/46/77-D.IV-V]

S.O. 1908.—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क द्वारा प्रत्यन शक्तियों का प्रयोग करने हुए, डाक प्रबन्धक विशाखापत्तनम पतन न्याय, विशाखापत्तनम का विशाखापत्तनम डाक थम बोर्ड के सदस्य के स्पष्ट में नियुक्त करनी है और नियंत्रण देनी है कि भारत सरकार के नीचे हैं और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं ३० का० आ० 3199 तारीख 17 दिसंबर, 1971 में निम्नलिखित संशोधन किया जाएगा, अर्थात् :—

उक्त अधिसूचना में, शीर्षक 'केन्द्रीय सरकार वा प्रतिनिधित्व करने वाले सदस्य' के नीचे मद (4) के सामने प्रविष्टि 'महायक थम आयुक्त (केन्द्रीय), विशाखापत्तनम', के स्थान पर प्रविष्टि 'डाक प्रबन्धक विशाखापत्तनम पतन न्याय, विशाखापत्तनम' रखी जाएगी।

[म० एन०टी०ओ०/१६/७७-डी० ४-VII]

S.O. 1908.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) the Central Government hereby appoints Docks Manager, Visakhapatnam Port Trust, Visakhapatnam as a member of the Visakhapatnam

Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No S.O. 3499 dated the 17th September 1976 namely—

In the said notification under the heading 'Members representing the Central Government against item (4) for the entry 'The Assistant Labour Commissioner (Central) Visakhapatnam' the entry 'The Docks Manager Visakhapatnam Port Trust Visakhapatnam' shall be substituted.

[No. I DO/46/77-D IV VII]

कांग्रेस 1909—केन्द्रीय सरकार ने वर्षमात्र (नियाजन का अधिनियम) अधिनियम 1948 (1948 का ५) की धारा ११ द्वारा प्रदत्त शब्दिका का प्रयोग करने द्वारा उक्त प्रबंधक समिति का नाम मार्गशीर्षी (गोवा) का सारमंगला और वर्ष बाड़ के महस्य के स्पष्ट में नियुक्त करनी है और नियन्त्रण दर्ती है कि भारा गणराज्य ने धौर और राजगांग मत्तालय का अधिनियम सं० धा. आ १-१० तारीख १३ अप्रैल 1970 में निर्मित भवित्व में जाएगा जर्जरत—

उक्त अधिनियम गापक नियाय संशोधन का प्रतिनिवित्व करने वाला मरम्मट कीच मद (१) के सामने प्रविटिट भवायब वर्ष घोष्यवा (केन्द्रीय) वास्को-डो-गामा के स्थान पर प्रविटिट आव प्रबंधक समिति का पत्तन न्याग मामगांगा (गोवा) रखा जाएगा।

[म. एन०डी.ओ०, 16/77 डी० ४-VII]

वी० संकारलिङ्गम, अवन मधिव

S.O. 1909—In exercise of the powers conferred by sub-section (3) of section 51 of the Dock Workers (Regulation of Employment) Act 1948 (9 of 1948) the Central Government hereby appoints Docks Manager Mormugao Port Trust, Mormugao (Goa) as a member of the Mormugao Dock Labour Board and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Labour and Employment No S.O. 1220, dated 15th April 1965 namely—

In the said notification under the heading 'Members representing the Central Government against item (4) for the entry 'The Assistant Labour Commissioner (Central) Vasco da Gama' the entry 'The Docks Manager Mormugao Port Trust, Mormugao (Goa)' shall be substituted.

[No. I DO/46/77 D IV VII]

V SANKARALINGAM Under Secy

निर्माण और आवास मन्त्रालय
नई दिल्ली, 19 मई, 1977

कांग्रेस 1910—यह केन्द्रीय सरकार का विलीनी की बृहत्त योजना में उल्लिखित थोको में कुछ समाधान करने का प्रस्ताव है तथा विलीनी विकास अधिनियम 1957 (1957 का 61) की धारा 11 के उपबन्धों में अन्तर्गत 11-11-1967 की नाटिम संख्या एफ० ३(७०)/६७-एम०प०० द्वारा उक्त अधिनियम की धारा 11-क का उपधारा (३) में अपेक्षित नाटिम की नारीब से ३० वित के भीतर आक्षेपा/सुझाव शामिल बरते के लिए प्रकाशित किया गया था।

और यह केन्द्रीय सरकार ने अनुसूची में उल्लिखित उक्त समाधान के संबंध न आक्षेपा और सुझावों पर विचार करने के पात्रान्, विलीनी की बृहत्त योजना और जनन विकास नाटम में समाधान करने का विषय किया है।

अब यह उक्त अधिनियम की धारा 11वीं उपधारा (२) के द्वारा प्रदत्त शब्दिका का प्रयोग करने हुए केन्द्रीय सरकार एवं दूसरा विभाग का उक्त बृहत्त योजना में भारत के राजपत्र ने इस अधिनियम के प्रबोधन की नारीब ग निर्माणित समाधान करनी है नामन— समाधान

- (i) पीपलथला और बगला गांव के अन्तर्गत १३ एकड़ भूमि के भू उपयोग का 'श्रीद्वारागिक' में "गिरावणा धन्त्र में परिवर्तन किया जाता है।
- (ii) ग्राउंड ट्रक राह म फरसार पर नित गतम्भानी श्रीद्वारागिक सहकारी सामाजिको का जापनित भूमि ५ एकड़ भूमि के भू उपयोग का मानवादाम म 'श्रीद्वारागिक' धन्त्र में रूप न परिवर्तन किया जाता है।
- (iii) ग्राउंड ट्रक राह म फरसार इसके पश्चिम तरफ (बाहरा रिंग राह श्रीद्वारा राह के भूमि म) १५ एकड़ भूमि के भू उपयोग का 'श्रीद्वारागिक' ग मानवादाम धन्त्र में परिवर्तन किया जाता है।

[म० ५०-१३०११(२)/७३-पू०३०१ (८०)]

MINISTRY OF WORKS & HOUSING

New Delhi, the 19th May 1977

S.O. 1910—Whereas certain modifications which the Central Government proposes to make in the Master Plan for Delhi regarding the areas mentioned hereunder, were published with Notice No. F 3(70) 67-MP dated 11-11-1967 in accordance with the provisions, of section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions, as required by sub-section (3) of section 11A of the said Act within thirty days from the date of the said notice,

And whereas the Central Government after considering the objections and suggestions with regard to the said modifications mentioned hereunder, have decided to modify the Master Plan for Delhi and Zonal Development Plan,

Now the store, in exercise of the powers conferred by sub-section (2) of section 11A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect from the date of publication of this notification in the Gazette of India, namely

MODIFICATIONS

- (i) The land use of 33 acres of land under village Pipalihala and Bharola is changed from 'Industrial' to 'Residential'
- (ii) The land use of 18 acres of land adjacent to the land allotted to the Rajasthani Industrial Co-operative Society on G.T. Road to Kanal is changed from 'Warehousing' to 'Industrial'
- (iii) The land use of 18 acres of land on G.T. Road to Kanal to its west (in between Outer Ring Road and Ring Road) is changed from Industrial to 'Warehousing'

[No. L-1301(2)/73-UDI(1)]

नई दिल्ली, 30 मई 1977

कांग्रेस 1911—यह केन्द्रीय सरकार का दिली बृहत्त योजना में नीचे उल्लिखित थोको में कुछ समाधान करने का प्रस्ताव है तथा विलीनी विकास अधिनियम 1957 (1957 का 61) की धारा 44 के उपबन्धों के अन्तर्गत 13-3-77 की नाटिम सं० एफ० 16(14c)/75 एम० पी० द्वारा उक्त अधिनियम की धारा 11-क के उपधारा (३) में अपेक्षित

नोटिस की तारीख में 30 दिन के भीतर आमंत्रित करने के लिए प्रकाशित किया गया था।

और यह केंद्रीय सरकार ने मध्यसूची में उल्लिखित उक्त समाधिन के संबंध में आवेदनों और सुझावों पर विचार करने के पश्चात् दिल्ली की बृहत् योजना और जानल विकास प्लान में संग्रहन करने का निश्चय किया गया है।

अब अब उक्त अधिनियम की धारा 11-क की उपचारा (2) के द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केंद्रीय सरकार श्री पी० वी० राजरामन (आई० प० ए०) तमिलनाडु, 1967) को 1 मार्च, 1977 के प्रवित्रि में अग्रें श्राद्धेन तक, प्रादेशिक अधिकारी, केंद्रीय किन्नर मंडर बांडू, मद्रास के 12 प्रथमापल रूप से नियुक्त करना है। यह नियुक्ति श्री आर० के० रामचन्द्रन के भारतीय किन्नर और टेलरिंग वैदा, पुरो न प्राप्त होने पर उनके स्थान पर का गई है।

क्षेत्र डी०-५ (डॉ.आई.ओ.डी.ए० खेत्र) में 1.1 हेक्टर (2.7 एकड़ी) माप के क्षेत्र जो पूर्व में 30.5 मीटर (100 फूट) चौड़े मंदिर मार्ग, उत्तर में मन्दिर लेन, पश्चिम में नाले तथा दक्षिण में 61 मीटर (200 फूट) चौड़े शक्ति राजू से दिग्दुषा है के भाथ मन्दिर मार्ग (काली बाड़ी तथा शक्ति राजू के मध्य) का भू-उपयोग जो बृहत् योजना में केंद्रीय विकास योजना में 'मनोरंजनात्मक' उद्देश्य था, का 'मार्वर्जनिक तथा अर्ध-मार्वर्जनिक सुविधायों (संस्थागत-धाराम) में बदल दिया गया है।

[स० क० 13011(9)/75-य०डी० 1(ए०)]
श्री० पी० आहर्सी, अवर सचिव

New Delhi, the 30th May, 1977

S.O. 1911.—Whereas certain modifications, which the Central Government proposes to make in the Master Plan for Delhi regarding the area mentioned hereunder, were published by the Delhi Development Authority with Notice No. F. 16(146)/75-MP, dated 12-2-1977 in accordance with the provisions of section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of section 11-A of the said Act, within thirty days from the date of the said notice;

And whereas no objection or suggestion has been received with regard to the aforesaid modifications, the Central Government have decided to modify that Master Plan for Delhi and Zonal Development Plan;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect from the date of publication of this notification in the Gazette of India, namely :—

MODIFICATION :

The land use of an area measuring 1.1 hect. (2.7 acres) in zone D-5 (D.L.Z. Area) bounded by Mandir Marg 30.5 mts. (100 ft.) right of way in the east, Mandir Lane in the north, nallah in the west and 61 mts. (200 ft.) wide Shanker Road in the south, along Mandir Marg (between Kali Bari and Shanker Road), earmarked as 'recreational' in the master Plan/Zonal Development Plan is changed to 'public and semi-public facilities (institutional-religious)'.

[No. K-13011(9)/75-UDI(A)]
D. P. OHRI, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 23 मार्च, 1977

का० आ० 1912.—चलचित्र (संग्रह) नियमाली, 1958 के नियम 10 के साथ पठित अलंकृत अधिनियम, 1952 (1952 का 37) की

धारा 5 की उधारा (2) के द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केंद्रीय सरकार श्री पी० वी० राजरामन (आई० प० ए०) तमिलनाडु, 1967) को 1 मार्च, 1977 के प्रवित्रि में अग्रें श्राद्धेन तक, प्रादेशिक अधिकारी, केंद्रीय किन्नर मंडर बांडू, मद्रास के 12 प्रथमापल रूप से नियुक्त करना है। यह नियुक्ति श्री आर० के० रामचन्द्रन के भारतीय किन्नर और टेलरिंग वैदा, पुरो न प्राप्त होने पर उनके स्थान पर का गई है।

राष्ट्रपति के आवेदन से और उनके नाम पर।

[फाइल नंबर. 21/1/77-एक०सी]

ए० श्री० नारायणन, उप सचिव

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 23rd March, 1977

S.O. 1912.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Cinematograph Act, 1952 (37 of 1952), read with Rule 10 of the Cinematograph (Censorship Rules, 1958, the Central Government has been pleased to appoint Shri P. V. Rajaraman (IAS : TN : 1967) to officiate as Regional Officer, Central Board of Film Censors, Madras, with effect from the forenoon of the 1st March, 1977 until further orders vice Shri R. K. Ramachandran, reverted back to Film & Television Institute of India, Poona.

By order and in the name of the President.

[F. No. 21/1/77-FC]

A. V. NARAYANAN, Dy. Secy.

पूर्ति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

(बांधोवस्त विभाग)

नई दिल्ली, 21 मार्च, 1977

का० आ० 1913.—निजकाल सम्पत्ति प्रणाली अधिनियम 1950 (1950 का 31) की धारा 6 की उधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्रीय सरकार इसके द्वारा इस विभाग के बंदोबस्त विभाग के निम्नलिखित बंदोबस्त श्रधिकारियों को उन राज्यों के लिए जिनमें उपर्युक्त अधिनियम लागू होता है, उक्त अधिनियम या उसके अन्तर्गत उपभिरक्षक को सौंपे गए कार्यों को नियावित करने के लिए तत्काल प्रभाव से उपभिरक्षक, निजकाल सम्पत्ति के रूप में नियुक्त करना है—

1. श्री आर० के० कपूर।

2. श्री सरदारी नाल।

[संख्या ५-३६०१६/(1) १५-प्रगायन (गजरिंग) वं० वि०/७६]

ए० श्री० के० टेक्चरन्डारी, अवर सचिव

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

(Settlement Wing)

New Delhi, the 21st April, 1977

S.O. 1913.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints the following Settlement Officers in the Settlement Wing of this Department as Deputy Custodians of Evacuee Property for the States to which the aforesaid Act applies for the purpose of discharging the duties

imposed on such Deputy Custodian by or under the said Act with immediate effect :—

1. Shri R. K. Kapoor.
2. Shri Sardari Lal.

[No. A-36016(1)/75-Ad(GZ)/SW/76]
H. K. ILCKCHANDANI, Under Secy.

नई दिल्ली, 11 मई, 1977

कानून 1914—विस्थापित व्यक्ति (शरा) अनुबूतक अधिनियम, 1954 (1954 का 12) को धारा 10 का उत्तर धारा 2 द्वारा मुच्य बदोबस्त आयुक्त का प्रदत्त शक्तियों का प्रयोग करते हुए, वे पुनर्वास विभाग के मैट्रिकेट विधि में बदोबस्त आयुक्त, श्रा व्रेम नारायण को मुच्य बदोबस्त आयुक्त का नियन्त्रिता शक्तिया दी रखते हैं।

1. बदोबस्त आयुक्त, द्वारा नियन्त्रित किया जा सकते हैं मामले के विकार को माना तथा उक्त अधिनियम को धारा 4 का उपरांत (1) के उपरांत के अन्तर्मान में अवृत्त पारित करने का गतिविधि।

2. विस्थापित व्यक्ति (शरा) अनुबूतक अधिनियम, 1950 (1950 का 14) के अन्तर्मान नियन्त्रित मामला के उपरांत में उक्त अधिनियम को धारा 5 के अन्तर्मान पुनर्वास आयुक्त को विशेष शक्तियाँ।

[संख्या 36016(1)/प्रणा०/राजपत्रिन/खंडीय०/75/खंड II]
कुमुम प्रसाद, मुच्य बदोबस्त आयुक्त

New Delhi, the 11th May, 1977

S.O. 1914.—In exercise of the powers conferred on the Chief Settlement Commissioner by Sub-section 2 of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954), she delegates to Shri Pem Narayan, Settlement Commissioner, in the Settlement Wing of the Department of Rehabilitation, the following powers of the Chief Settlement Commissioner.

1. Powers to call for the record of any case decided by the Settlement Officer and pass orders in the case under proviso to Sub-section (3) of Section 4 of the said Act.
2. Special powers of revision under Section 5 of the said Act in respect of cases decided upon the Displaced Persons (Claims) Supplementary Act, 1950 (44 of 1950).

[No. 36016(1)Ad/GZ/SW/75, Vol II]

KUSUM PRASAD, Chief Settlement Commissioner

नई दिल्ली, 25 मई, 1977

कानून 1915.—नियकान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार आपार उप-भूमि मुशार आयुक्त, राजस्व बोर्ड, उत्तर प्रदेश सरकार को उत्तर प्रदेश राज्य में नियकान्त सम्पत्तियों के संबंध में उक्त अधिनियम द्वारा या उसके अन्तर्मान अधिकारक को मोरे गए कार्यों को करते के लिए अपर नियकान्त सम्पत्ति अधिकारक के रूप में नियुक्त करती है।

[संख्या 1(4)/विशेष सेल/77-एस०-एस०-II(i)]

New Delhi, the 25th May, 1977

S.O. 1915.—In exercise of the powers conferred by Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950) the Central Government hereby appoints the Additional Deputy Land Reforms Commissioner, Board of Revenue, Govt. of U.P. as Additional Custodian of Evacuee Property for the purpose of discharging the duties imposed

on the Custodian by or under the said Act in respect of evacuee properties in the State of Uttar Pradesh.

[No. 1(4)/Spl. Cell/77-SS. II(i)]

कानून 1916—नियकान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार मूमि मुशार आयुक्त, राजस्व बोर्ड, उत्तर प्रदेश सरकार को, उत्तर प्रदेश राज्य में नियकान्त सम्पत्तियों के संबंध में उक्त अधिनियम द्वारा या उसके अन्तर्मान अधिकारक को मोरे गए कार्यों को करने के लिए उपनियकान्त सम्पत्ति अधिकारक के रूप में नियुक्त करती है।

[संख्या 1(4)/विशेष सेल/77-एस०-एस०-II(ii)]

S.O. 1916.—In exercise of the powers conferred by Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950) the Central Government hereby appoints the Assistant Land Reform Commissioner, Board of Revenue, Govt. of U.P. as Deputy Custodian of Evacuee Property for the purpose of discharging the duties imposed on the Custodian by or under the said Act in respect of evacuee properties in the State of Uttar Pradesh.

[No. 1(4)/Spl. Cell/SS. II/77(ii)]

कानून 1917—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार आपार उप-भूमि मुशार आयुक्त, राजस्व बोर्ड, उत्तर प्रदेश सरकार को, अपार उप-भूमि मुशार आयुक्त के अर्थने कार्यों के अलावा उत्तर प्रदेश राज्य में मध्यावधा भडार को भूमियों और परिस्थितियों के संबंध में उक्त अधिनियम द्वारा या उसके अन्तर्मान बदोबस्त आयुक्त को मायूक्त के रूप में नियुक्त करती है।

[संख्या 1(4)/विशेष सेल/II 77-एस०-एस०-II(iii)]

S.O. 1917.—In exercise of the powers conferred by Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Govt. hereby appoints the Additional Deputy Land Reforms Commissioner, Board of Revenue, Govt. of U.P. as Settlement Commissioner for the purpose of performing, in addition to his own duties as Additional Deputy Land Reforms Commissioner, the functions assigned to a Settlement Commissioner by or under the said Act, in respect of the lands and properties forming part of the Compensation Pool within the State of Uttar Pradesh.

[No. 1(4)/Spl. Cell/77-SS. II(iii)]

कानून 1918—नियकान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार राजस्व बोर्ड, उत्तर प्रदेश सरकार से संबंधित विशेष कार्य अधिकारी को उपर प्रदेश राज्य में नियकान्त सम्पत्तियों के संबंध में उक्त अधिनियम द्वारा या उसके अन्तर्मान अधिकारक को मोरे गए कार्यों को करने के लिए महायक नियकान्त सम्पत्ति अधिकारक के रूप में नियुक्त करती है।

[संख्या 1(4)/विशेष सेल/77-एस०-एस०-II(iv)]

S.O. 1918.—In exercise of the powers conferred by Section 6 of the Administration of Evacuee Property Act 1950 (31 of 1950) the Central Government hereby appoints the Officer on Special Duty attached to the Board of Revenue, Govt. of U.P. as Assistant Custodian of Evacuee Property for the purpose of discharging the duties imposed on the Custodian by or under the said Act in respect of evacuee properties in the State of U.P.

[No. 1(4)/Spl. Cell/77-SS. II(iv)]

का० आ० 1919.—विम्बापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1951 का 44) का थारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ग्रामस्व बोर्ड, उत्तर प्रदेश सरकार से मबद्दल विशेष फार्म अधिकारी को, विशेष कार्य अधिकारी के प्रति कार्यों के अनावश्यकता उत्तर प्रदेश राज्य में मप्रावास भाड़ा का भूमिया और पर्यावरणीयों के मध्य में उक्त अधिनियम द्वारा या उसके प्रत्यंत प्रबन्ध अधिकारी को सीधे गण कार्यों को करने के लिए, प्रबन्ध अधिकारी के रूप में नियुक्त करने हैं।

[मध्या 1(4)/शिष्य सेवा/77-एस-एस० 2 (5)]
दाना नाथ प्रसादा, संयुक्त निदेशक

S.O. 1919.—In exercise of the powers conferred by Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Govt. hereby appoints the Officer on Special Duty attached to the Board of Revenue, Govt. of U.P. as Managing Officer for the purpose of performing, in addition to his own duties as Officer on Special Duty, the functions assigned to a Managing Officer by or under the said Act, in respect of the lands and properties forming part of the Compensation Pool within the State of Uttar Pradesh.

[No. 1(4)/Spl. Cell/77-SS. II(v)]
D. N. ASIJA, Jr. Director

श्रम संचालन

तई दिल्ला, 27 अप्रैल, 1977

प्रादेश

का० आ० 1920.—केन्द्रीय सरकार का राय है कि इसमें उपाध्यक्ष अनुसूची में विनियित विधायिकों के बारे में मैमर्स कांजी जाधवीं एवं कम्पनी, गिरिधार एवं एस्टेट्स, मुख्याई के प्रबन्धनन्तर से मबद्दल नियोजकों और उनके कर्मकारों के बीच एक श्रोद्योगिक विवाद विद्यमान है।

और केन्द्रीय सरकार उक्त विवाद को न्यायिक रूप से नियन्त्रित करना चाहती है।

अत., अब, श्रोद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की थारा 7क और थारा 10 की उपवाग (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक श्रोद्योगिक अधिकरण गठित करती है जिसके पाठासान अधिकारा अहमदाबाद, स्थित राज्य श्रोद्योगिक अधिकरण के पीठासीन अधिकारी द्वारे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायिक रूप से नियन्त्रित करती है।

अनुसूची

क्या काण्डला पोर्ट स्थित मैमर्स कांजी जाधवीं एवं कांनी द्वारा नियोजित मवंशी डॉ० आर० गवल, वरिछ महायक, हीरालाल जा० पाण्डवा, डॉ० कलक और लक्ष्मी, कोपाध्यक्ष के सबध में वे बेतनमान मंजूर करने की भाग न्यायांचित हैं जिनको डॉ० इसी प्रकार की श्रेणिया के कर्मचारियों के लिए पतन और डॉ० अस्मिकों के मजदूरी बोर्ड ने सिफारिश की है? यदि हो, तो वे बेतनमान उन्हें किम तारीख से लागू किए जाने चाहिए। ये कर्मकार किम अच्य अनुनाय, के, यदि कोई हो, हक्कदार हैं?

[सं० एन० 37012(1)/77-डॉ० 4(ग)]

MINISTRY OF LABOUR

New Delhi, the 27th April, 1977

ORDER

S.O. 1920.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in

relation to the management of Messrs Kanji Jadhavji and Company, Shipping Agents, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Central Government hereby constitutes an Industrial Tribunal of which the Presiding Officer of the State Industrial Tribunal at Ahmedabad shall be the Presiding Officer with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

Whether the demand for grant of scales of pay as recommended by the Wage Board for Port and Dock Workers for identical categories of employees, in respect of Sarvashri D. R. Raval, Senior Assistant, Hirajal G. Pandya, Dock Clerk and Lakshmi Cashier, employed by Messrs Kanji Jadhavji and Company, Shipping Agents at Kandla Port, is justified? If so, with effect from what date should such scales of pay be made applicable to them? To what other relief, if any, are these workmen entitled?

[No. I-37012(1)/77-D. IV(A)]

नई दिल्ली, 1 मई, 1977

प्रादेश

का० आ० 1921.—केन्द्रीय सरकार का राय है कि इनमें उपाध्यक्ष अनुसूची में विनियित विधायिकों के बारे में न्यू भंगलौर पोर्ड, पानाम्बर द्वारा घर (कंगला) भंगलौर के प्रबन्धनन्तर से मबद्दल नियोजकों और उनके कर्मकारों के बीच एक श्रोद्योगिक विवाद विद्यमान है।

और केन्द्रीय सरकार उक्त विवाद को न्याय नियन्त्रित करना चाहती है।

अतः, अब, श्रोद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की थारा 7क और थारा 10 की उपाधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक श्रोद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी थी एम० एन० एफ० पानाम्बर होंगे, जिनका मुख्यालय भंगलौर में होगा और उक्त विवाद का उक्त अधिकरण को न्यायिक रूप से नियन्त्रित करती है।

अनुसूची

क्या मैमर्स न्यू भंगलौर पोर्ड के प्रबन्धनन्तर के श्री बी० एम० लसराडो, द्वारा द्वारा को 31-5-1973 से प्रत्येक वर्ष 31 मई से 17 दिसम्बर तक की प्रबन्धित की जानी वाली अनुसूची अधिकारी थी के० नारायण से कम बेतन प्राप्त करने की अनुमति देने की कारंबाई न्यायांचित है? यदि नहीं, तो श्री बी० एम० लसराडो किम अनुतोष के लकड़ार है?

[सं० एन० 15012(1)/77-डॉ० 4 (ग)]

New Delhi, the 4th May, 1977

ORDER

S.O. 1921.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of New Mangalore Port, Panambur P.O. (Via) Mangalore and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of the sub-section (1), of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri S. I. F. Alveis shall be the Presiding Officer with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

Whether the action of the management of New Mangalore Port in allowing Shri V. S. Lasrado, Driver, to draw less pay than Shri K. Narayana, Driver, his junior, for the period from 31st May to 17th December, every year since 31-5-73, is justified? If not, to what relief is Shri V. S. Lasrado entitled?

[No L-45012(2)/77-D IV(A)]

नई दिल्ली, 18 मई, 1977

प्रावेश

का० आ० 1922.—मैसर्स धार्मी मूलजी, मुम्बई के प्रबन्धनकर्ता से मस्वद नियोजकों और उनके कर्मकार, जिनका प्रतिनिधित्व ट्रामपोर्ट एण्ड ड्राइवर्स कर्कर्म यूनियन, मुम्बई बरता है, ने श्रीधार्मिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 10 की उपचारा (2) के अधीन केंद्रीय सरकार को मस्वद रूप से एक आवेदन उक्त आवेदन में उपर्युक्त और उसमें उपचारा प्रनगृहीत में उत्पृष्ठ विषयों के बारे में उनके वीच विवादात् श्रीधार्मिक विवाद का किसी श्रीधार्मिक अधिकारण को निर्देशित करने से दिया दिया है।

और केंद्रीय सरकार का भासाधान हो गया है कि आवेदन करने वाले अप्ति, प्रत्येक पक्ष के बहुमत का प्रतिनिधित्व करने हैं,

अतः, अश्रु, श्रीधार्मिक विवाद अधिनियम, 1947 (1947 का 14) की धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केंद्रीय सरकार उक्त विवाद की उक्त अधिनियम की धारा 7क के अधीन गठित केंद्रीय सरकार श्रीधार्मिक अधिकारण में 1, मुम्बई की व्याय निर्णयन के लिए निर्विण्ठ करनी है।

प्रत्यक्षी

यथा ट्रामपोर्ट एण्ड ड्राइवर्स कर्कर्म यूनियन, मुम्बई की यह साग व्यायोंचित है कि मैसर्स धार्मी मूलजी, मुम्बई के कर्मचारियों को लेखा वर्ष 1975-76 के लिए 20% की दर से बोनस का भुगतान किया जाए यदि नहीं तो कर्मकार बोनस की किस दर के हककार है?

[म० एन० 31013(1)/77 दी० 4(प.)]

New Delhi, the 18th May, 1977

ORDER

S.O. 1922.—Whereas the employers in relation to the management of M/s. Dharsi Moolji, Bombay and their workmen represented by the Transport & Dock Workers Union, Bombay have jointly applied to the Central Government under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference of an industrial dispute that exists between them to an Industrial Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed,

And, whereas, the Central Government is satisfied that the persons applying represent the majority of each party;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal No 1, Bombay constituted under Section 7A of the said Act.

THE SCHEDULE

Whether the demand of the Transport & Dock Workers' Union, Bombay for payment of bonus at the rate of 20 per cent for the accounting year 1975-76, to the employees of M/s. Dharsi Moolji, Bombay is justified? If not, to what rate of bonus are the workmen entitled?

[No. I-31013(1)/77-D IV(A)]

नई दिल्ली, 19 मई, 1977

प्रावेश

का० आ० 1923.—केंद्रीय सरकार की गयी है कि इसमें उपचारा प्रनुसूची में विनियित विषयों के बारे में मद्रास स्टीविडोर्स एसोसिएशन, मद्रास के प्रबन्धनकर्ता सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक श्रीधार्मिक विवाद विद्यमान है,

श्रीर केंद्रीय सरकार उक्त विवाद को व्यायनिर्णयन के लिए निर्देशित करना चाहती थी समझती है

अतः, अश्रु, श्रीधार्मिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपचारा (1) के खण्ड (प) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केंद्रीय सरकार एक श्रीधार्मिक अधिकारण गठित करनी है जिसके पौष्टिकों प्रविक्षार्गी थीं दी० गन० गिगारबेन हांगे, जिनका मद्रास मद्रास में होगा और उक्त विवाद का उक्त अधिकारण को व्यायनिर्णयन के लिए निर्विण्ठ करनी है।

प्रत्यक्षी

यथा मद्रास स्टीविडोर्स एसोसिएशन, मद्रास द्वारा 1-1-77 से श्री लोगिया, बाचमैन की सेवाए समाप्त करने की कार्रवाई दी और व्यायोचित है? यदि नहीं, तो मवधित कर्मकार किस अनुसूची के लकड़ार हैं?

[म० एन० 31012(1)/77 दी० IV-(ए)]

ORDER

S.O. 1923—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Madras Stevedores Association, Madras and their workmen in respect of the matters specified in the Schedule hereto annexed:

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. N. Singaravelu shall be the Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

Whether termination of services with effect from 1-3-77 of Shri Logiah, Watchman by Madras Stevedores Association, Madras is lawful and justified? If not, to what relief is the concerned workmen entitled?

[No. I-33012(1)/77-D IV(A)]

New Delhi, the 21st May, 1977

S.O. 1924.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Messrs. Harrisons and Crossfield I limited, Cochin and their workmen which was received by the Central Government on the 20th May, 1977

BEFORE THIRU T. N. SINGARAVELU, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,

MADRAS

(Constituted by the Central Government)

New Delhi, the 9th May, 1977

Industrial Dispute No. 70 of 1975

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of M/s. Harrisons and Crosfield Limited, Cochin.)

BETWEEN

The workmen, represented by the President, Cochin Port Shipping, Clearing Staff Association, 1st Main Road, Cochin-682003.

AND

Messrs. Harrisons and Crosfield Limited, Steamer Agents, Post Box No. 502, Willingdon Island, Cochin-682003.

REFERENCE :

Order No. L-35012/3/75-D. IV(A), dated 20-9-1975 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Tuesday, the 19th day of April, 1977 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru J. S. Macado, President of the Union for the workmen and of Thiru K. V. R. Shenoi for Menon and Pai, Advocates for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following Award.

AWARD

This is an Industrial Dispute between the Management of Messrs. Harrisons and Crosfield Limited, Cochin and its employee in respect of the matters specified in the Schedule to the reference. This was referred to this Tribunal by the Government of India in its order No. L-35012/3/75-D. IV(A), dated 20th September, 1975 of the Ministry of Labour for adjudication.

2. The issue reads as follows :

Whether the action of the management of Messrs. Harrisons and Crosfield Limited, Steamer Agents, Cochin, in neither accepting the resignation of Shri Ivan D'Souza, their Steamer Clerk, and paying to him his legitime dues, nor allowing him to resume duties from the 17th June, 1974, is justified? If not, to what relief is the concerned workman entitled and from what date?

3. The averments in the claim statement are briefly as follows : The Claimant Thiru Ivan D'Souza was appointed as a Clerk on 1-9-1954 in the Steamer Department of the Company, Messrs. Harrisons and Crosfield Limited, situated at Willingdon Island, Cochin. His tenure of service was without blemish throughout. While so, the Claimant was not allowed to enter the office of the Company with effect from 18-6-1974. The denial of employment by the Management is arbitrary and without justification. The allegations of misconduct and misappropriation against the employee are all imaginary. He met with an accident while he was in service in the first week of May, 1974 and he went on leave on medical grounds. When he returned to duty on 17-6-1974, he was prevented from entering the office. The non-employment is illegal and an act of victimisation and therefore he should be reinstated in service with effect from 4-5-1974 with all back wages.

4. The Management filed a counter statement as follows : The reference itself is bad in law and this Tribunal has no jurisdiction to adjudicate the dispute referred to it. The Central Government is not the competent authority to make this reference, as the employee had nothing to do with the Port of Cochin. He was only a clerk in the Shipping Department of the Company attending to the supply of pro-

visions to the ships and to meet the claims made by crew, staff etc. which arrive at the Cochin Port. The Management is only a commercial establishment in the State Government of Kerala and therefore the appropriate authority for referring this dispute is only the State Government. On merits, the Claimant is guilty of misappropriation of a large sum of money of Rs. 71,000 and odd and he has not accounted for the advances he received from the Management. The employee was receiving monies from the office to be paid to the crew and the Captain of the Ships, but he never rendered accounts for the sums and he has misappropriated the amounts entrusted to him. When his misconduct came to light, the Claimant Ivan D'Souza wanted to forestall any action by the Management and so he sent a telegram to the Management on 7-12-1973 stating that he was forthwith resigning his job. He later confirmed the same by a letter of an even date clearly expressing that he has resigned. He however offered to render accounts for the monies he received and wanted a month's time, but he never tendered accounts and stayed away from duty voluntarily. Even so late as 11-5-1974, he sent a lawyer notice to the Management confirming his earlier resignation.

5. Thereafter, the Management scrutinised his over-drawings and found that he had misappropriated large sums of money. Since he did not render accounts for the advances in spite of several notices, the Management had no alternative but to prefer a criminal complaint against the employee before the Commissioner of Police, Cochin for offences of misappropriation and breach of trust. The criminal case is now pending against him. Meanwhile, the employee has approached the Labour Department of the State Government of Kerala complaining that he was denied employment by the Management and he has now managed to raise a dispute on that ground. The Claimant had already resigned his job and went away abandoning his employment and without even rendering accounts for his drawings. Therefore, he has to blame himself for his non-employment and this is not a case where the Management had denied employment to him. In any event, the post held by the employee was one of confidence and trust and by his misconduct, the Management has lost confidence in him and therefore the question of reinstatement does not arise. He now owes the Company a large sum of Rupees Seventy-one thousand and odd and a criminal case is also pending against him for misappropriation. In these circumstances, the claim of the clerk for reinstatement in service with back wages, especially after his voluntary resignation is frivolous and mala fide and he is not entitled to any relief.

6. The employee filed a reply statement denying the allegations of the Management with reference to misappropriation. He also stated that the Central Government is the proper authority to make this reference, since the office of the Management is situated in Willingdon Island which is a Centrally administered area. Further, the Management is a leading Steamer Agent as well as Shipping and Clearing Agent attending to export and import of goods. Therefore, the Claimant is an employee only in the Shipping Department as Cochin Port in which the State Government has nothing to do. The criminal complaint against him is highly belated and long after he tendered his resignation on 7-12-1973. There was no domestic enquiry against the employee and it is wrong to state that he voluntarily abandoned his post. In fact, his prayer itself is for reinstatement of service.

7. Now, the following facts are gathered from the evidence on record. The claimant herein Thiru Ivan D'Souza was appointed as a clerk in September, 1954 by the Management Company viz., Messrs. Harrisons and Crosfield Limited, Cochin which is a sterling Company at Cochin working as Agents for the supply of provisions to the Ships and meet the claims made by the Crew and Staff of the ships arriving at Cochin Port. The main duties of the clerk in question were to attend to the entry and clearance of vessels at the Port and to make payments to the Staff of ships. The Management, viz., the Shipping Agents used to entrust monies with the clerk from time to time to meet the demands of the various ships arriving at that Port. Thiru Ivan D'Souza was not satisfied with his service conditions and salary and he was asking for a better remuneration and he appears to have been a discontented man in the later years of his service. Finally, on 7-12-1973, he sent a telegram (Ex. M-1) to the Management stating that he was forthwith resigning his job. On the same day, he confirmed his telegraphic resignation by

a letter of an even date, Ex. M-2. Since monies had been advanced to the Clerk by the Management on various occasions, the Management wanted him to render proper accounts. The clerk appears to have attended office in January, 1974 in spite of his resignation for reasons best known to himself, but thereafter, absented himself from duty from February, 1974 onwards on medical grounds. Again on 11-5-1974, the clerk sent a further letter of resignation through his Advocate confirming his earlier resignation and he did not attend office hereafter. He has also not rendered accounts to the Management for the monies he has drawn as promised by him earlier. The Management scrutinised the accounts relating to the monies advanced to him under suspense account and found that the total amount of advances to be accounted for by the clerk was to the tune of Rs. 69,000 and odd as on 29-5-1974. The Management demanded accounts from the clerk, but the latter did not comply whereupon the Management laid a complaint against him to the Commissioner of Police, Cochin for misappropriation and breach of trust. The criminal investigation is pending. Since Fidelity guarantee had been given by the National Insurance Company Limited, Cochin, the Management promptly made the claim from the Insurance Company for the amounts due from its employee Thiru Ivan D'Souza. The Insurance Company appointed independent auditors, Joseph and Abraham, Chartered Accountants, Ernakulam, and scrutinised the accounts relating to the advances made to the clerk. The auditors found that a sum of Rs. 71,682.06 was due from the clerk to the Management-Company. On demand, the Insurance Company paid the full amount of claim to the Shipping Agents (Management) through a cheque dated 27-8-1975. These facts are generally not in controversy, though the liability with reference to the advances is denied by the employee.

8. Now, the grievance of the employee is that his resignation was not accepted by the Management and that he was also not allowed to attend the office either. The point as per the issue before us is that either his resignation should be accepted or that he should be permitted to resume duty from 17th June, 1974. According to the employee, the Management is not justified in denying both. Now, the point for adjudication is very simple and can be disposed of without any difficulty. The Management before us is a private firm and there was only a contract of service between the employer and the employee. The employee was employed as a clerk in the shipping department of the Management Company at Cochin. Needless to state that it is open to an employee in a private Firm to resign his job at any time and it is not as if the employee is a Government servant. In other words, it was only a private contract of service terminable at Will of either party and Ex. M-40 dated 31-8-1954 is the order of appointment. It is common ground that for some reason or other this employee of his own free will sent a telegram Ex. M-1 dated 7-12-1973 to the Management stating "herewith resigning". He then confirmed the telegram by a letter of even date Ex. M-2 stating the reason that the service conditions in the Company were not favourable to him. Furthermore, the employee sent another letter of resignation through his lawyer on 11-5-1974 under Ex. M-4. In this letter, the clerk stated that in continuation of his previous telegram and confirmation letter dated 7-12-1973 tendering his resignation, he reaffirmed the same and added that he was resigning the clerk's job in the concern forthwith "to better his prospects". Ex. M-4 further reads that this letter was final and he was no more in the services of the Company. He also called upon the Management to pay him his legitimate dues like Provident Fund, Gratuity, etc., at the earliest. The lawyer has also endorsed the resignation letter of his client and it is clear that the clerk had legal advice and after due deliberation resigned his job once for all. Now, it is nobody's case that he sent his resignation in a state of emotion or in a weak moment. He first resigned in December, 1973 and after a period of about 5 months, he reiterated his stand and that too through a lawyer notice. The Management also accepts that the employee had irrevocably resigned his job and did not attend office at any rate from May, 1974 W.W. I, the employee himself has admitted in his evidence before us that he has once for all resigned from the service of the Company. In the face of this admitted evidence borne out by fool-proof communication, I am of opinion that there is no real dispute between the parties either with reference to employment or non-employment. The employee was quite at liberty to resign his job and he had resigned once in December, 1973 and again in May, 1974 unequivocally. What then is the dispute?

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9. The only grievance of the employee as made out from his evidence appears to be that his resignation was not formally accepted by the Management till this day. For this, the Management contends that no acceptance is necessary, since the employee had forthwith resigned his job and abandoned the job and therefore nothing further remained to be done except settlement of accounts. The Management further submits that the employee is yet to render accounts to the tune of Rs. 71,000 and odd, in respect of which there is a criminal case pending against him at Cochin. It is, therefore urged on behalf of the Management that it cannot accept his resignation letter and give him clearance, when the further liability of accounting was there. I have carefully considered the contentions of both parties on this aspect and I am of opinion that no formal acceptance of resignation is necessary in the circumstances of this case. As already stated, this is a private firm and the clerk voluntarily resigned his job and walked out. Therefore, his resignation must be deemed to have been accepted by the Management, subject to liability if any. In this case, a large sum of Rs. 71,000 and odd is said to be due from the clerk on account of the advances made to him and the Management contends that the clerk had misappropriated the same and committed breach of trust. This is not a mere allegation, but there is some prima facie foundation for this argument. Exs. M-47 to M-54 are the correspondence between the National Insurance Company Limited and the Management Company with reference to the monies advanced to the employee and due from him. The Management had taken a fidelity guarantee from the Insurance Company, and when the Management made a claim of the amount from the Insurance Company, the latter appointed independent auditors (Chartered Accountants) to peruse the accounts and found out the amount actually due. Ex. M-48 is the Report of the Chartered Accountants dated 17-3-1975 stating that a sum of Rs. 71,672.06 was due from the employee pending adjustment. What is more, the Insurance Company had in fact paid the amount to the Management-Company by cheques (vide—Exs. M-51 to M-54) after satisfying itself about the genuineness of the claim. The Insurance Company had further requested the Management-Company to pursue the criminal complaint given by them to the Police and directed the Company not to pay any amount to the clerk, like gratuity, provident fund, etc. Therefore, the position is that an independent agency had made an enquiry into the accounts between the parties and found that the employee had not rendered accounts to the Management to the tune of Rs. 71,000 and odd. That apart, admittedly, there is a criminal case pending against the employee at Cochin for alleged misappropriation. In these circumstances, there is no ground at all either in law or equity requiring in the Management to accept the letter of resignation without reference to the liability. As I said, he voluntarily abandoned the employment and left the job forthwith stating that he wanted "to better his prospects". He even stated in his resignation letter that he was no longer in the service of the Management Company. Therefore, that is the end of the matter with reference to the employment and no formal acceptance of the same is necessary by the Management as in the case of a Government servant.

10. The Management as a last resort submitted that as a matter of convenience it is even now ready to accept his resignation, subject to liability; but this offer is not acceptable to the claimant. He would appear to say that his resignation, and in as much as it has not been accepted, he is entitled to back wages for the period. This argument is misconceived and untenable in law. Having resigned the job voluntarily and unilaterally, he cannot claim wages or salary for the period he never worked under the Management. In any event, it is beyond the scope of this reference. There is one other impediment to the claimant's contention. Admittedly, a criminal case is pending against him and it is not for this Tribunal to go into the question of the liability or otherwise (Civil or Criminal) in this reference and it is a matter to be decided in the proper forums.

11. The claimant has put forward another contention in the course of evidence that he should be now permitted to resume duty under the Management. This is clearly contradictory to the stand taken by him in the claim statement and also to his resignation letters of December, 1973 and May, 1974 referred to above. Having resigned his job voluntarily and left the post, there is no question of directing the

Management to take him back in service. That was never his prayer either before this Tribunal or before the Labour Officers. In fact, his correspondence with the Management go to show that he was only asking for the payment of gratuity and provident fund due to him for his services from 1954 to 1974. Very rightly, he never wanted re-employment for the simple reason that he had already resigned his job of his own accord. He approached the Labour Union and his lawyer and then the Labour Officers of the Government only for the purpose of provident fund and not for reinstatement in service. Obviously the Management did not settle the provident fund accounts with him pending disposal of the criminal case against him. In any event, it is always open to the claimant to take appropriate proceedings against the Management for recovery of the alleged amount due to him by way of gratuity and provident fund. When a criminal case is pending against the employee for misappropriation and breach of trust, one cannot expect the Management to disburse the terminal benefits due to the employee without setting off the amounts, if any, due to the Management. Therefore, the result is the claim and the counter claim of monies between the parties are beyond the scope of this reference and we are here concerned only with the fact whether the Management had denied employment to him. For all these reasons, I hold that the claimant had voluntarily resigned his job and went out and therefore there is no question of re-employment or formal acceptance of his resignation. The liability or otherwise of the claims between the parties is left open and the parties are at liberty to work out these remedies in proper forums.

12. Learned counsel for the Management then raised a legal question that the Central Government is not the proper Authority to make this reference and that the State Government alone is competent. According to the Management, the Central Government has nothing to do with this private concern of Shipping Agents and therefore this reference itself is bad. As against this, the Union would contend that the Central Government is the proper authority to make the reference, since this concern is a Shipping Agent at Cochin Port dealing with the arrival and clearance of Vessels and the customs department. I may straight away say that in the circumstances this controversy whether the Central Government or the State Government is the competent authority to make the reference is purely academic. It is all the more so, when I have already held on merits that the claimant is not entitled to any relief in this reference. Therefore, I am not answering this question raised as a preliminary point, since both parties agreed before me that the main dispute itself may be gone into and disposed of on merits.

13. The result is I find that no formal acceptance of resignation is necessary in the circumstances and the Clerk in question had voluntarily resigned his job and walked out. Consequently, the question of reinstatement does not arise. Therefore, no relief can be granted to the claimant in this reference except recording the fact that he has resigned his job from the Management Company at any rate from 11-5-1974, if not earlier. An Award is passed in these terms and each party will bear his or its own costs.

Dated, this 9th day of May, 1977.

T. N. SINGARAVELU, Industrial Tribunal
WITNESSES EXAMINED

For worker:

W.W. 1—Thiru Ivan D'Souza
W.W. 2—Thiru V. Moldeen Kunch
W.W. 3—Thiru T.D.N. Pillai

For Management:

M.W. 1—Thiru M.K. Nambiar, Personnel Manager.
M.W. 2—Thiru B.K.K. Prasad, Finance Executive
DOCUMENTS MARKED

For worker:

Ex. W-1/3-3-73 Cash voucher for Rs. 5000.

Ex. W 2/18-6-74	Letter from W.W. 1 to the Management about the statement of accounts due from W.W. 1.
Ex. W-3/13-5-74	Medical Certificate issued to W.W. 1.
Fx W-4	Printed pamphlet of the Management giving names of Vessels and their arrival dates.
Ex. W-5/19-1-74	Notice to Shippers by West Coast of India and Pakistan/U.S.A. regarding currency adjustment factor and Bunker surcharge.
Ex. W-6/25-5-73	Circular of the Cochin Chamber of Commerce and Industry, Cochin, Communicating the Public Notice dated 3-5-1973 issued by the Collector of Customs and Central Excise, Cochin-3.
Ex. W-7/6-5-67	Overtime chit relating to W.W. 1.
Fx. W-8/28-7-72	Letter from the Management to W.W. 1 enclosing a copy of Circular dated 18-7-72 from the Cochin Port Trust
Ex. W-9/29-7-68	Certificate issued to W.W. 1 by Thiru A.D Spence.
Ex. W-10/28-2-55	Confirmation order issued to W.W. 1. (copy)
Ex. W-11	Identity card issued to W.W. 1 for the period from 15-7-76.
Ex. W-12	Permit card of W.W. 1 for entering the Wharves.
Ex. W-13/13-7-73	Letter from the Management to the Assistant Collector of Customs, Cochin stating to enclose the identity cards of 19 personnel. (produced by the Management).
Ex. W-14/24-9-74	Letter from the Management to the Assistant requesting to cancel the identity card issued to W.W. 1 and delete his name. (Produced by the Management).
Ex. W-15/5-8-69	Cash requisition for Rs. 19.
Fx W-16/18-6-71	Letter from the Management to Thiruvallargal G R.P. Fernandez and J S. Morris regarding L.O.B. certificates.
Ex. W-17/16-12-72	Invoice of 300 packages tea shipped to New York by the Management.
Ex. W-18/17-11-70	Letter from the Assistant Collector of Customs, Cochin to the Post Master for permitting the Management to deposit Rs. 12,000 in the Post Office Savings Bank.
For Management :	
Ex. M-1/7-12-73	Telegram from W.W. 1 resigning the job. (copy).
Ex. M-2/7-12-73	Resignation letter from W.W. 1 to the Management. (copy).
Ex. M-3/22-1-74	Letter from the Management to W.W. 1 stating that his basic salary will be Rs. 212 with effect from 1-1-1974. (copy).
Ex. M-4/11-5-74	Letter from the advocate of W.W. 1 to the Management enclosing the letter of resignation of W.W. 1 dated 11-5-74. (copy).

- Ex.M-5/29-5-74 . Reply letter from the Management to Ex. M-4 requiring W.W.1 to account for the advances drawn by him, (copy).
- Ex. M-6/13-6-74 . Letter from the advocate for W.W.1 to the Management enclosing the letter of W.W. 1 dated 12-6-74 regarding submission of accounts (copy)
- Ex. M-7/24-6-74 Letter from the Management to W.W.1 regarding submission of accounts for the advance drawn by him. (copy).
- Ex. M-8/31-7-74 . Complaint of the Management to the Commissioner of Police, Cochin against W.W.1 (copy).
- Ex. M-9/5-8-1974 . Letter from the Commissioner of Police, Cochin, acknowledging the receipt of Ex M-8 (copy).
- Ex. M-10/7-9-74 Letter from the Advocate of W.W.1 to the Management enclosing the letter of W.W.1 dated 7-9-1974 requesting for payment of his dues. (copy)
- Ex. M-11 . Petition submitted by W.W.1 before the Deputy Labour Officer, Panayapally. (copy).
- Ex. M-12/23-9-74 Letter from the W.W.1 to the Management regarding to release him with dues or reinstate him in service (copy).
- Ex. M-13/3-10-74 . Letter from the Management to W.W.1 stating that the matter has been reported to the Police. (copy).
- Ex. M-14/10-10-74 Letter from the Deputy Labour Commissioner, Cochin to the Management regarding Ex. M-11 (copy).
- Ex. M-15/18-10-74 Reply letter to Ex. M-14 by the Management. (copy).
- Ex. M-16/28-11-74 Petition submitted by W.W.1 before the Deputy Labour Officer, Cochin-2 requesting to arrange for employment. (copy).
- Ex. M-17/13-12-74 Letter from the Deputy Labour Officer, Cochin to the Management for submitting remarks on Ex. M-16. (copy).
- Ex. M-18/23-12-74 Reply letter by the Management to Ex. M-17. (copy).
- Ex. M-19/1-1-75in Letter from the Deputy Labour Commissioner, Cochin requesting the parties to attend the discussion on 10-1-1975. (copy).
- Ex. M-20/28-1-75 Letter from the Management to W.W.1 sending the statement of accounts in Ex. M-21 (copy).
- Ex. M-21 . Statement of accounts outstanding due from W.W.1 (copy).
- Ex. M-22/13-3-75 . Letter from the Union to the Management regarding denial of Payment of gratuity and Provident Fund to W.W.1 (copy).
- Ex. M-23/25-3-75 . Reply letter by the Management to Ex. M-22. (copy).
- Ex. M-24/21-4-75 Letter from the Union to the Management regarding the denial of Provident Fund and gratuity to W.W.1 (copy).
- Ex. M-25/26-4-75 Reply letter by the Management to Ex. M-24 (copy).
- Ex. M-26 9-5-75 . Letter from the Union to the Assistant Labour Commissioner, Ernakulam for taking conciliation (copy)
- Ex. M-27/22-5-75 . Letter from the Deputy Labour Officer, Cochin requesting the parties to attend the Conference on 28-5-75. (copy).
- Ex. M-28/27-5-75 . Letter from the Management to the Deputy Labour Officer, Cochin requesting to postpone the conference (copy).
- Ex. M-29/20-6-75 . Letter from the Union to the Management regarding denial of employment to W.W.1 (copy).
- Ex. M-30/23-6-75 . Letter from the Assistant Commissioner of Police(Crime), Cochin to the Management regarding Complaint against W.W.1 (copy).
- Ex. M-31/26-6-75 . Letter from W.W.1 to the Management in reply to Ex. M-20 and M-21 (copy).
- Ex. M-32/27-6-75 . Reply letter from the Management to Ex. M-29 enclosing a copy of Ex. M-30 (copy).
- Ex. M-33/1-7-75 . Letter from the Union to the Assistant Labour Commissioner, Ernakulam for initiating Conciliation proceedings. (copy).
- Ex. M-34/3-7-75 . Letter from the Management to the Union forwarding another copy of Ex. M-30 (copy).
- Ex. M-35/4-7-75 . Conciliation letter sent to the parties by the Assistant Labour Commissioner (Central) Ernakulam, for the discussion on 14-7-75 (copy).
- Ex. M-36/7-7-75 . Reply by the Management to Ex. M-35 (copy).
- Ex. M-37/11-8-75 . Conciliation failure report. (copy).
- Ex. M-38/31-12-74 Memorandum of Settlement between the Management and the Mercantile Employees' Association, Calicut, The Cochin Commercial Employees' Association and the Cochin Commercial Subordinate Staff Association, Cochin. (copy).
- Ex. M-39/10-1-72 . Conciliation Settlement between the Management and the Mercantile Employees' Association, Calicut, The Cochin Commercial Employees' Association and the Cochin Commercial Subordinate staff Association, Cochin. (copy).
- Ex. M-40/31-8-54 . Appointment order issued to W.W.1.
- Ex. M-41/28-2-55 . Confirmation order issued to W.W.1 (copy).
- Ex. M-42 . Declaration and nomination of W.W.1 for employees Provident Funds Scheme 1952. (copy).
- Ex. M-43 . Declaration and Nomination form of the Employees' Provident Fund Scheme, 1952. (Blank form).
- Ex. M-44/15-7-60 Licence to transact Custom House business in form B-No. 17 (authorising the Management to transact business) (Photostat copy).
- Ex. M-45/3-2-1875 Registration Certificate of the Management Company (Photostat copy).
- Ex. M-46/28-2-55 Letter from the Management to W.W.1 stating to enclose form of application for membership to the Provident Fund.
- Ex. M-47/31-3-75 Letter from the National Insurance Company Ltd , to the Management sending a copy of Auditor's report in Ex. M-48.

- Ex. M-48/17-3-75. Auditor's report.
 Ex. M-49/8-8-75. Letter from the National Insurance Company Ltd., to the Management.
 Ex. M-50/12-8-75. Reply letter from the Management to Ex. M-49.
 Ex. M-51 . . . Claim Bill for Rs. 72, 697-06.
 Ex. M-52/27-8-75. Letter from the National Insurance Company Ltd., to the Management stating to enclose a cheque for Rs. 72, 697-06.
 Ex. M-53/2-9-75 . Reply letter from the Management to Ex. M-52 sending discharge receipt form.
 Ex. M-54 . . . Receipt passed by the Management for Rs. 72, 697-06.
 Ex. M-55/1-9-75 . Declaration signed by W.W.I.
 Ex. M-56 . . . General rules to be observed by all members of the staff of the Management Company.

T. N. SINGARAVELU, Industrial Tribunal

Note : Parties are directed to take return of their documents within six months from the date of the Award.

THIRU T.N. SINGARAVELU, Presiding Officer
 [No. L-35012 (3)/75-D-IV (A)]

New Delhi, the 27th May, 1977

S.O. 1925.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay in the industrial dispute between the employers in relation to the management of Messrs New Dholera Shipping and Trading Company Private Limited, Bombay and their workman which was received by the Central Government on the 24th May, 1977

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 BOMBAY

Reference No. CGIT-2/20 of 1975

PARTIES :

Employers in relation to the Management of Messrs New Dholera Shipping and Trading Company Limited, Bombay.

AND

Their Workmen

INDUSTRIAL : Ports and Docks. STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

The Central Government through the Ministry of Labour in exercise of the powers conferred upon it by Section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication by its order No. L-31012/2/75-D. IV(A) dated 20-9-1975 :—

"Whether the action of the management of Messrs New Dholera Shipping and Trading Company Limited, Bombay, in terminating the services of Shri B. J. Bhagat, their Office Assistant, with effect from the 22nd June, 1974, was justified? If not to what relief is the said workman entitled?"

The workman B. J. Bhagat worked from June, 1956 to 22-6-1974 as an Assistant in the Employer Company which carries on the business of Shipping. His services were terminated with effect from 22-6-1974. He claims reinstatement in service on the grounds that the order terminating his services is illegal. He also claims full pay from the date of the illegal order of termination of his services till the date of reinstatement.

The management in its written statement contends that this reference is based by the principles of res judicata for the reason that the workman had already filed an application before the Central Govt. Labour Court No. 1, Bombay bearing No. L.CB-1413 of 1975 under Section 33C(2) of the Act for recovery of the amount due to him. They also question the jurisdiction of the Central Government to refer this dispute to the Central Government Industrial Tribunal because their industry is not carried on by or under the authority of the Central Government. They say that B. J. Bhagat is not a workman within the meaning of Section 2(s) of the Act as he was performing mainly supervisory duties and drawing a salary of Rs. 1,974/- per month. They also contend that the workman having drawn all the amounts due to him in full and final settlement of his claim against the company on the termination of his services is estopped from raising the present dispute. They say there is a delay of five months in raising the dispute and that the said delay cannot be condoned. They pray that the reference may be rejected.

The management has filed an additional written statement on 28-1-1976 stating that since the workman B. J. Bhagat had never raised any dispute with the company regarding the present demand this reference is not maintainable.

The workman filed a Memo on 5-4-1977 praying the Tribunal to dispose of the reference in view of the changed circumstances and in view of his personal talks with Sheth Shri Aditya Pratapsinh Shoorji Vallabhdas. He stated that he was unconditionally withdrawing all his claims.

Both the management and the workman were given notices to appear before this Tribunal on this date viz., 7-5-1977 to make their submission regarding the Memo. file by the workman on 5-4-1977. Even after the receipt of the notice of hearing date neither side has chosen to appear. In the circumstances this reference has to be closed, the dispute having been settled out of Court.

Reference is accordingly closed.

P. RAMAKRISHNA, Presiding Officer
 [No. L-31012(3)/75-D IV(A)]

S.O. 1926.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay in the industrial dispute between the employers in relation to the management of Messrs. Vinsons, Bombay and their workman which was received by the Central Government on the 24th May, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/10 of 1976

PARTIES

The employers in relation to the management of Messrs. Vinsons, Bombay.

AND

Their Workmen

APPEARANCES

For the Employers.—Shri K. H. Nawani, Labour Consultant.

For the workmen.—Shri S. R. Wagh, Advocate.

INDUSTRY : Ports and Docks. STATE : Maharashtra.

Bombay, the 27th April, 1977

AWARD

The Central Government through the Ministry of Labour in exercise of the powers conferred upon it by Section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication by its order No. L-31012(5)/76-D. IV(A) dated 6-5-1976 :—

"Whether the action of the management of Messrs. Vinsons, Imperial Chambers, Wilson Road, P.O. Box

No. 1601, Ballard Estate, Bombay-400 038 in terminating the services of Shri Ramesh L. Naihani, Custom Clerk with effect from 23rd September 1975 and in denying him the salary and allowance as provided in the Settlement dated 10th September, 1969 between the management and the Transport and Dock Workers' Union, Bombay is justified? If not, to what relief is the workman entitled?"

The facts giving rise to this reference are the workman herein R. L. Naihani was appointed temporarily for a period of one year as a trainee Custom Clerk by M/s. Vinsons, which is a partnership firm carrying on the business of stevedoring and Clearing Agents. The order of appointment Ex. w-1 dated 22-9-1973 is extracted below :—

"You are appointed on training and temporary basis as a Custom Clerk from 22nd September 1973 on a consolidated salary of Rs. 150.00 p.m. for one year during which period your services can be terminated without any notice.

You will have to work in office, Custom House, Airport and as well as in the Docks, and do all the allied work whenever you are required to do so by the Management.

Your working hours including Saturday will be 9 A.M. to 6 P.M. with one hour interval for rest.

You will have to work in accordance with the working of the Docks i.e. you will only be entitled to those days as holidays on which the Docks are closed and no further holidays will be notified to you."

At the end of the initial period of one year the Employers did not say whether the workman's work was found satisfactory or no. But he was continued in service. On 6-6-1975 the Workman was informed that as he was not trying to improve despite several oral warnings, his period of probation was extended till 31-12-1975 subject to the terms and conditions mentioned in the letter of appointment Ex. U-1. Even before the expiry of the extended period of probation the Employers terminated his service with effect from 23-9-75 by its letter dated 26-9-1975, which is given below :—

"It is observed that you are remaining absent without permission very frequently and do not inform the management in time.

We are attaching herewith your absence record for the year 1974 and 1975 which is self-explanatory.

You are also not taking interest in the work and cannot do any job independently.

As you are still on probation, your services are terminated from 23rd instant the date you have remained absent.

Your dues will be paid on your surrendering Custom and Dock pass and giving account of the FOU drawn by you."

The workman sought the assistance of the Transport and Dock Workers' Union (hereinafter referred to as the 'Union') to take up his cause in challenging the action of the management. The Union claims that several of the employees of the Employers M/s. Vinsons are its members and therefore they are competent to espouse the cause of the workman. The Union issued the notice Ex. U-7 on behalf of the workman calling upon the management to reinstate the workman giving him back wages. They also demanded that the workman be paid the salary in terms of the settlement entered into between the Stevedors and Clearing Agents and their workmen represented by the Union in CGT 13 of 1967, to which the Employer herein M/s. Vinsons was party. Under this agreement the Union claims that the salary of the workman in question should be Rs. 215 basic in the scale of Rs. 215-10-30-15-425. As the Employers failed to comply with this demand, the Union approached the C.R. Labour Commissioner (c) to initiate conciliation proceedings. On the Assistant Labour Commissioner (C)'s submitting a failure report, the Central Government has referred the dispute to this Tribunal for adjudication.

The Employers in their written statement claim that under the terms of appointment embodied in the letter Ex. U-1, they are well within their rights to terminate the services of the workman at any time they liked, without holding any enquiry or giving any notice. They also contend that since the workman in question was only appointed as a trainee clerk on a temporary basis, he was not entitled to claim wages at the rates specified in the settlement, before satisfactory completion of the probation period. They also say that till the issue of orders confirming the workman in the post, he should be deemed to be on probation. They further say that as the workman in question was frequently absenting himself without prior permission and was also not caring to learn the work, they had to terminate his services. A statement giving the number of days he was absent from duty is also filed.

The Union in its written statement claimed that the workman in question was discharging his duties very efficiently, to the entire satisfaction of the employers. Because in May 1975 he orally demanded wages at the rates mentioned in the Settlement the management had extended his period of probation on the pretext that his work was unsatisfactory. They also claimed that in the absence of any evidence to the contrary after the expiry of the initial probationary period of one year, the workman must be deemed to have successfully completed his probation and appointed on a permanent basis. After the satisfactory completion of probation period they claim that the workman should be given the higher scale of pay provided in the settlement. When the workman approached the Union to press his claim for payment of salary as per the rate mentioned in the settlement they issued the notice Ex. U-4 dated 13-8-1975 to the Employer. The management feeling aggrieved at the workman approaching the Union terminated his services as per the letter Ex. U-6. The Union contends that the termination of the workman's service is illegal and that he is entitled to reinstatement with full back wages. They also claim that the workman should be paid the higher scale of pay in terms of the Settlement.

The points that arise for consideration are :—

- (1) Whether the action of the Employers in terminating the workman's services with effect from 23-9-75 is valid?
- (2) If not whether he is entitled to reinstatement with back wages?
- (3) Whether the workman is entitled to claim wages as per the scales agreed to in the settlement Ex. U-2 and if so from what date?
- (4) To what relief?

Point 1 :—The facts that are not in dispute are the workman was appointed under the letter Ex. U-1 for one year temporarily as a trainee Customs Clerk with effect from 22-9-73 subject to the management's right to discharge him from service without any notice. Till 6-6-1975 there is nothing on record to show that the management was displeased with the services of the workman. By the letter Ex. U-3 dated 6-6-1975 the management extended his period of probation till 31-12-1975 subject to all the terms and conditions mentioned in the appointment letter (Ex. U-1). As per the letter Ex. U-6 dated 26-9-75 they terminated his services with effect from 23-9-75. The learned Advocate for the Union relying upon the decision reported in 1964(I) LLJ, 9^o argues that the termination of services of the workman before the expiry of the extended period of probation viz. 31-12-1975 being illegal he should be reinstated with back wages. But the terms of appointment in the instant case are different from those in the reported case, in that the employer herein has reserved his right to terminate the workman's services without notice during the period of probation. When the validity of such termination is challenged before an Industrial Tribunal, it is necessary to consider the question whether the order of termination was in bona fide exercise of the powers conferred by the contract. If it finds that the order of termination does not amount to victimisation or unfair labour practice and is not capricious or unreasonable it will have no jurisdiction to interfere with it.

It was to be seen if the order terminating the workman's services in bona fide. Neither party has chosen to adduce any oral evidence. The workman joined service on probation as a trainee Customs Clerk on 22-9-73. Even after this initial period of one year's probation had expired he was not confirmed. It is not disputed before me that in such a situation the workman continues to be on probation even after the expiry of the initial period of one year. On 6-6-1975 the Employer addressed the letter Ex. U-3 to the workman informing him that despite the fact that he was asked several times to show better progress he was not taking any interest in learning the work and independently handling the job entrusted to him. For this reason his probation was extended till 31-12-1975, subject to the terms and conditions of service mentioned in Ex. U-1. He was also told that if he did not show any improvement during the extended period of probation his services would be terminated without any notice. On 26-9-1975 as per the letter Ex. U-6 his services were terminated for the reason that he was absenting himself very frequently without prior permission or intimation to the management and that he was unable to handle independently any job entrusted to him. To that letter Ex. U-3 a statement showing the number of days he was absent in 1974 and 1975 was appended. It shows that despite the letter Ex. U-3 dated 6-6-75 informing him that his probation was being extended for frequent absence from duty without prior permission, he absented himself from duty without prior permission or intimation on 9-8-75, 20-8-75, 21-8-75, 27-8-75, 2-9-75, 5-9-75 to 10-9-75 and 13-9-75. From the letter Ex. U-6 we find that he again absented himself without prior permission from 23-9-75 to 25-9-75. On 26-9-75 his services were terminated with effect from 23-9-75.

It is contended by the Union in the letter Ex. U-4 dated 13-8-75 that though the workman proved himself to be the "most efficient dock and customs clerk" during the period of his service, the management was not paying him the salary due to him as per the terms of settlement Ex. U-2. When the management failed to comply with this demand, the letter Ex. U-5 was addressed to the Asstt. Labour Commissioner (C) requesting him to intervene and see that the salary as asked for in the letter Ex. U-4 was paid. After his services were terminated the workman placed his case in the hands of the Union who addressed the letter Ex. U-7 dated 4-10-75 to the management with a copy to the Asstt. Labour Commissioner (C) calling upon them to take back the workman into their service paying him his back wages. They alleged that because the workman got the notice Ex. U-4 issued through the Union for payment of wages in terms of Ex. U-2 settlement and the Union followed up that notice by referring the dispute to the Asstt. Labour Commissioner (C), as per the letter Ex. U-5, the management punished him by terminating his services. It is also stated (though not pressed at the time of arguments) that during the pendency of the dispute regarding payment of higher scale of pay before the Conciliation Officer, the Management's action in terminating the services of the workman is illegal. In the written statement filed on behalf of the workman it is alleged when the workman orally demanded in May, 1975 payment of wages in terms of the settlement Ex. U-2 the management extended the period of his probation.

Thus it may be seen that in none of their letters Ex. U-4, U-5 and U-7 has the Union controverted the complaint of the management that the workman was very frequently absenting himself without prior permission or intimation or the fact that he was not evincing sufficient interest in his work. Nor is any evidence led in this case for that purpose. It is not even alleged on behalf of the workman that the frequent absence from duty in the months of August and September was due to unavoidable weighty and compelling reasons. It is also pertinent to note that if the workman was so efficient in the discharge of his duties there was no reason for not confirming him soon after he completed one year's probationary period. It is not the case of the Union that by 21-9-74 the workman gave the management any cause for complaint. The allegation that the workman demanded orally wages in terms of the settlement Ex. U-2 is not proved. From Ex. U-3 continued to absent himself without prior after receiving the letter Ex. U-3 extending his period of probation shows that he was not quite interested in discharging his duties to the satisfaction of the management. When he absented himself again from 23-9-75 to 25-9-75 without permission the management issued the letter Ex. U-6 dated 26-9-75 terminating his services with effect from 23-9-75.

Again, when the management in its letter Ex. U-3 and U-6 was complaining that the workman was not caring to learn the work and was not able to do independently any job entrusted to him, this fact is not seriously challenged by the Union either in their letters or in the written statement except saying vaguely that the workman proved himself to be the most efficient Customs Clerk.

For the aforesaid reason I hold on point 1 that the management has the power to terminate the services of the workman without notice by virtue of the terms and conditions of employment contained in the appointment order Ex. U-1 even before the conclusion of the probationary period i.e. before 31-12-75 and that the said order of termination of service is passed bona fide without any ulterior motives in exercise of that power.

Point 2 :—In view of my finding on point 1 this point does not arise for consideration. If a finding were necessary, I am inclined to answer against the workman. The workman was appointed as a trainee clerk on probation for an initial period of one year. Thereafter admittedly he continued to be on probation till his services were terminated with effect from 23-9-1975. The question is if the termination of the workman's services for misconduct even before the expiry of his period of probation without holding any enquiry is bad, whether he is automatically entitled to be reinstated in service with full back wages. The law as laid down in 1960 (1LLJ, 587th and 1966(1)LLJ, 398th) shows that the workman has no such automatic right to be reinstated. In this case the management is not satisfied with the workman's performance. The record shows that he is in the habit of absenting himself without previous intimation or permission. In the circumstances instead of reinstatement payment of compensation for the illegal termination of service may be more appropriate.

The next question is what is the quantum of compensation to which the workman is entitled? There is no material before this Court to show if the workman was employed previously in any capacity. Nor is there any material to show that he secured any job after the management had terminated his services. I feel a sum of Rs. 1000 may be adequate compensation for the illegal termination of his services.

Point 2 found accordingly

Point 3 :—The workman claims wages as per the scales provided in the Settlement Ex. U-2. He was employed on one year's probation on a fixed salary of Rs. 150 per month with effect from 23-9-73. His period of probation was extended till 31-12-1975 as per the letter Ex. U-3 on the same terms and conditions as mentioned in the original letter of employment Ex. U-1. The management's contention is that till he is confirmed after satisfactory completion of probation, the workman is not entitled to claim the pay scale agreed to under the settlement Ex. U-2. The learned Advocate for the Union accepts the correctness of the proposition and says that till the completion of the one year's period of probation the workman is not entitled to claim the higher scale of pay. Their contention is that after the first one year's service the workman should be given the higher scale of pay. They question the bona fides of the management in extending the period of probation by their letter Ex. U-3. According to them because the workman orally demanded the higher pay scale in May, 1975, the management extended his period of probation. I do not agree with the contention. The fact that such a demand was made in May, 1975 is not proved. It is not referred to in Ex. U-4 the letter dated 13-8-75 written by the Union to the management demanding the higher scale of pay for the workman. Nor is any such reference made to it in the Union's letter Ex. U-5 dated 1-10-75 addressed to the Asstt. Labour Commissioner (C) complaining that the management was not implementing the scales of pay agreed to in the settlement Ex. U-2. If such a demand had been really made the Union would not have failed to advert to it in the letters Exs. U-4 and U-5. In the letter Ex. U-7 dated 4-10-75 addressed by the Union to the management calling upon them to reinstate the workman after revoking the illegal order of termination of service it is merely stated (without specifying the month or date) that

because the workman had asked for higher scale of pay his services were terminated. The same averments are repeated in the letter Ex. U-8 addressed by the Union to the Asstt. Labour Commissioner (C) to initiate enquiry proceedings regarding the illegal termination of workman's services. Therefore it must be held that the averment that because the workman had demanded higher scale of pay in May, 1975 the management in order to victimise him had first extended his period of probation in June 1975 and later on in September, 1975 terminated his services, is not made out.

When once it is found that the workman's period of probation was extended bona fide, for valid reasons, it follows that till he is confirmed he is not entitled to the higher scale of pay.

Point 3 answered accordingly.

Point 4 :—For the foregoing reasons the reference is answered as follows :—

- (I) The action of the management of M/s. Vinsons in terminating the services of the workman Ramesh L. Nariani Customs Clerk with effect from 23-9-1975 is justified.
- (II) The management is justified in not paying the workman R. L. Nariani the higher scale of pay as he was only a trainee customs clerk without being confirmed in that post (Jr Clerk) till the date of the termination of services.

P. RAMAKRISHNA, Presiding Officer.

APPENDIX OF EVIDENCE

Witnesses examined for the parties

Nil

Documents

FOR THE EMPLOYERS

- Ex. E-1—Copy of Memorandum of Settlement dated 10-9-1969 between the Bombay Custom House Clearing Agents Association and Transport & Dock Workers' Union, Bombay.
- Ex. E-2—Copy of the letter No. TD/32/(126)/2431/74 dated 11-9-74 from the Secretary, Transport and Dock Workers' Union, Bombay giving notice of termination of the settlement dated 10-9-1969.
- Ex. E-3—Absence record of the workman Shri Ramesh L. Nariani.

FOR THE WORKMAN (UNION)

- Ex. U-1—Copy of the letter of appointment dated 22-9-1973 issued by M/s. Vinsons to the workman Shri Ramesh L. Nariani.
- Ex. U-2—Statement of claim in Ref. No. CGIT-13 of 1967 filed by the Transport and Dock Workers' Union, Bombay.
- Ex. U-3—Copy of the letter dated 6-6-1975 issued by M/s. Vinsons, Bombay to the workman Ramesh L. Nariani extending the period of probation upto 31-12-1975.
- Ex. U-4—Copy of the letter No. TD/31/1317/75 dated 13-8-75 from the Secretary, Transport & Dock Workers' Union, Bombay addressed to M/s. Vinsons, Bombay alleging breach of agreement, non payment of salary and D.A. according to the agreement dated 10-9-1969 to the workman Ramesh L. Nariani.
- Ex. U-5—Copy of the letter No. TD/31/1667/75 dated 1-10-1975 from the Secretary, Transport & Dock Workers' Union, Bombay to the Asstt. Labour Commissioner (C)-I, Bombay alleging breach of agreement etc.
- Ex. U-6—Copy of the letter No. STO/3/ dated 26-9-1975 from M/s. Vinsons, Bombay addressed to the workman Ramesh L. Nariani terminating his services.
- Ex. U-7—Copy of the letter No. TD/31/1684/75 dated 4-10-75 from the Secretary, Transport and Dock

Workers' Union, Bombay addressed to M/s. Vinsons, Bombay regarding termination of the services of the workman Ramesh L. Nariani.

Ex. U-8—Copy of letter No. TD/31/1976/75 dated 20-11-1975 from the Secretary, Transport & Dock Workers' Union, Bombay addressed to the Asstt. Labour Commissioner (C-I), Bombay regarding termination of services of the workman Ramesh L. Nariani.

P. RAMAKRISHNA, Presiding Officer.

[No. I-13012(5)/76-D. IV(A)]

S.O. 1927.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay in the industrial dispute between the employees in relation to the management of Bombay Port Trust, Bombay and their workmen which was received by the Central Government on 24th May, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY Reference No. CGIT-2 '18 of 1974

PARTIES :

Employers in relation to the management of Bombay Port Trust, Bombay

AND

Their workmen

APPEARANCES :

For the Employers—Shri R. K. Shetty, Legal Adviser.

For the workmen—Shri S. K. Shetye, General Secretary, Bombay Port Trust Employees' Union, Bombay.

INDUSTRY : Ports and Docks STATE : Maharashtra
Bombay, dated the 6th May, 1977

AWARD

The Government of India, Ministry of Labour by order No. L-31011/11/73-P&D dated the 27th May, 1974 in exercise of the powers conferred under Section 10(1)(d) of the Industrial Disputes Act, 14 of 1947 referred to this Tribunal the following dispute for adjudication :—

"Whether the demand that Technical Supervisors in the Oil Pipe Line Sections at Indira Dock, Wadala, Trombay and Butcher Island should be rotated at regular intervals between these Sections is justified and should be implemented?"

The General Secretary, Bombay Port Trust Employees' Union has filed written statement of claim dated 23-10-1974 stating the Pipe Lines of the Port Trust are located at four different places viz., Indira Dock, Wadala, Pir Pau (Trombay Manifold) and Butcher Island. Except Butcher Island the other three places are situated on the main land. Butcher Island is separated from the main land by sea and it takes 45 minutes by Launch to reach that place from Dock No. 15, Victoria Dock. In order to supervise the Oil pipe Lines the posts of Technical Supervisors were created for the first time in or about the year 1963 or 1964. At the relevant time there were 17 such posts of Technical Supervisors. At Indira Dock there is one Technical Supervisor, at Wadala there are three Technical Supervisors one in each shift, at Pir Pau there are six Technical Supervisors with one leave reserve two of them working in each shift and at Butcher Island there are six Technical Supervisors with one leave reserve, four of them working in the day shift and two in the second shift. Because Butcher Island is separated by sea from the main land and it takes nearly an hour by Launch to reach that place, the Port Trust administration through it fit to conduct their operations in two shifts of 12 hours each viz., 8 A.M. to 8 P.M. and 8 P.M. to 8 A.M. the following day and at the other 3 places the Technical Supervisors work in three shifts each of 8 hours duration. At Indira

Dock and at Wadala the opportunities of earning overtime wages are negligible. At Pir Pau the overtime work may come to Rs. 200 per month per Technical Supervisor. At Butcher Island there is fixed overtime of four hours in the 1st Shift and five hours in the second shift besides the overtime of 45 minutes representing the time taken by the Technical Supervisors to travel from the main land to Butcher Island. The overtime allowance each of the Technical Supervisors working there gets is as high as Rs. 500-700, per month. For administrative reasons the Port Trust authorities have not found it feasible to rotate the workmen among the four places so as to give all the 17 Technical Supervisors equal opportunities of earning overtime wages. The Bombay Port Trust Employees' Union submits that this is working great hardship to the Technical Supervisors working at Indira Dock, Wadala and Pir Pau. It is submitted that all the 17 posts of Technical Supervisors are borne of the same cadre and have common seniority list and scale of pay. They also complain that the persons working at the other three places are denied the opportunity of getting acquainted with the complicated machinery located at Butcher Island. In the matter of promotion of Technical Supervisors to the next higher post of shift Engineer or Foreman, experience of work at Butcher Island is essential. Since the Technical Supervisors working at Indira Dock, Wadala and Pir Pau are not having this opportunity they are not in a position to compete with their counterparts working at Butcher Island for the promotional posts. The refusal on the part of Bombay Port Trust to rotate the Technical Supervisors is in breach of the Resolution of the Trustees No. 1581 of 1972 and the notice of change issued on 2-1-1973 in pursuance thereof. The Union asserts that it is possible to rotate the Technical Supervisors working at the four different places. They rely upon the opinion of the Additional Mechanical Superintendent recorded in T. R. No. 1062 of 17-12-1963 by which resolution the posts of Technical Supervisors were created. They pray that the demand made by the Union may be granted.

The Secretary, Bombay port Trust filed a written statement on 12-3-1975 contending that this Tribunal has no jurisdiction to entertain this reference since the rotation of workmen amounts to deployment of staff which is purely a managerial function. They say that there are 19 sanctioned posts of Technical Supervisors and 15 posts were being operated. It is submitted that the rotation of workmen in question is not practicable. It also states that there is no justification for this demand of rotation because each of the Technical Supervisors during the course of his service in such a capacity has an equal opportunity to work at Butcher Island and earning overtime. The justification for refusing rotation is that the Technical Supervisors posted at Butcher Island being senior-most are to be given opportunities of earning higher wages in the shape of overtime. They also take the plea that since the Technical Supervisors working at Indira Dock and Wadala are not experienced enough to handle the complicated system of Oil Pipe Lines and other equipment at Butcher Island the principle of rotation in their case cannot be accepted. Even in regard to the Technical Supervisors working at Pir Pau they say that the work at Butcher Island is more complicated and involves handling of more sophisticated machinery and so they will not be in a position to handle the same if posted to Butcher Island.

The management raised an additional plea on 2-10-1975 by way of an amendment to the written statement to say that the Technical Supervisors are not workmen within the meaning of Section 2(s) (iv) of the Act and therefore this Tribunal has no jurisdiction to entertain the reference.

To this the B.P.T. Employees' Union filed a rejoinder stating that this plea is raised at a belated stage and therefore should not be permitted.

On the above pleadings the points that arise for consideration are :—

- (1) Whether this Reference is not maintainable?
- (2) Whether the B.P.T. Employees' Union has locus standi to prosecute this reference?
- (3) Whether the demand for rotation of Technical Supervisors is justified?

(4) Whether the demand for rotation of Technical Supervisors working at Indira Dock, Wadala, Pir Pau and Butcher Island is feasible? If not to what extent is it feasible?

(5) To what relief?

Point 1.—On two grounds it is said that this reference is not maintainable.—(1) The demand for rotation of Technical Supervisors between Butcher Island and the other three places viz., Pir Pau, Wadala and Indira Dock is in effect a demand for periodical transfer of the workmen concerned (in other words deployment of personnel) which is mainly a managerial function and the Tribunal has no jurisdiction to interfere with it. Reliance is placed on the decision reported in 1966 (1) LLJ 440* for this purpose. The facts of the case are considerably from the facts of the present case. In that case an employee of a Bank raised an industrial dispute regarding his transfer from one branch office to another. It was held that the management was in the best position to judge how to distribute its employees between the branches and that the Industrial Tribunals should be very careful before they interfered with the orders made by the banks in the discharge of their managerial functions. This decision can have no application to the facts of the present case. The issue in controversy is periodical rotation of a particular category of workmen between four places and not transfer of one or two individuals from one branch office to another.

The second objection raised is that the Technical supervisors at whose instance this reference is made are excluded from the category of workmen under section 2(s) (iv) of the Industrial Disputes Act and therefore this reference is incompetent. It is not seriously disputed that by the date of this reference i.e. May, 1974 the Technical Supervisors were drawing total emoluments exceeding Rs. 500 per month. The only question that is in controversy is whether they exercise supervisory functions.

The meaning of the word 'supervise' as given in the Oxford Illustrated Dictionary is "oversight, superintend, execution of performance of (things), movements or work of (persons)". What is meant by supervisory work is considered by the Supreme Court in several decisions. In 1961(I), LLJ, 18, **it is observed by the Supreme Court that Supervisor or Officer should occupy a position of command or decision and should be authorised to act within the limits of his authority without the sanction of the Manager or other Supervisors. In 1953 (II) LLJ, 310† the question that arose for consideration was if a controller of a Tea Company was a workman within the meaning of Section 2 (s). From the evidence of the witnesses it appeared that the Controller had several Salesmen under him and it was his duty to supervise their work. He had authority to place the Salesman under suspension in case of gross misconduct. He was in such a case to take charge of the depot. A letter of authority was given authorising him to take complete charge of any Depot and distributing Godown, and to relieve the Salesman or Godown Keeper. On this material it was held that the Controller was not a workman but a Supervisor, an employee discharging supervisory functions. From the above authorities it is clear that unless the Technical Supervisor exercises some amount of control over the persons working under him he cannot be excluded from the category of workman, even if his pay is more than Rs. 500 per month.

In the instant case there is the evidence of four witnesses for the management and three witnesses for the workmen on this point. The Chief Mechanical Engineer Shri Osler M'Mello is examined as Court witness. The evidence of the above witnesses throws light on the function of the Technical Supervisors.

At this stage it will be noticed that the plea that the Technical Supervisors are not workmen by virtue of Section 2(s) (iv) of the Act was raised by the management by way of amendment to the written statement on 2-10-1975 after the evidence was closed and arguments were addressed before my learned predecessor. After this plea was permitted to be raised the management examined EWs-3 and 4 and the workmen examined WWs-2 and 3.

*Syndicate Bank Ltd. Vs. Its workmen.

**Lloyds Bank Ltd. Vs. Panna Lal Gupta & Others.

†Brooke Bond India, Ltd. Vs. Shantimoy Banerjee.

From the affidavit of EW-1 Mr. A. V. Singanamalli, Executive Engineer (Mech) it appears that the Technical Supervisors at Butcher Island have to supervise the work of welding, look after the work of operation and maintenance of the 11 numbers of electrical navigational lights situated around the Marine Oil Terminal (M.O.T for brevity) at Butcher Island. EW-1 was cross-examined on the facts disclosed by him in the affidavit. He stated that all the Oil Companies were instructed to give requisition for the pipe line service before 5.30 P.M. The Foreman on going through the requisition makes necessary arrangement of posting and gives necessary inspection if required. He says that the posting of men is not the function of the Technical Supervisors. He is only meant for supervision of the work of men asked to work under him by the Foreman. He adds that ordinarily manual work is done by the Fitters, Nowganese, Mazdoors but on occasions the Technical Supervisors have to do manual work also. The Charge man or the Technical Supervisor corrects the mistakes committed by the Fitters or Mazdoors.

The affidavit filed by Mr. Eduvin Vaman Pai Cuchalkar, EW-2 shows that he joined the Bombay Port Trust as a charge man, Oil Pipe Line Section (O.P.L. Section for brevity) Marine Oil Terminal (MOT), Butcher Island on 25-6-1955. By the date he affirmed this affidavit i.e. 19-6-1975 he rose to the position of Foreman, M.O.T. and O.P.L. Butcher Island. According to him the Technical Supervisors handle or are expected to handle both mechanical as well as electrical work. At Trombay Manifold the electrical work carried on by the Technical Supervisor is restricted to only one 11 K.V. Sub-section catering to electrical supply to two fresh Water pumps of 40 H.P. capacity 3 Pumps of 140 H.P. capacity and their accessories, manifold lighting and street lighting including Pir Pau Jetty and Cathodic protection building. The Technical Supervisor at M.O.T. Butcher Island should look after the entire power distribution generated by Diesel power House and in doing so he should look after the Transformers of power House, sub-station at Tank Farm, power supply equipment to 2 Nos 500 H.P. pumps, 2 Nos. 250 H.P. pumps, 2 Nos. 110 H.P. pumps, 1 No. 60 H.P. pump, 1 No. 15 H.P. pump and 2 Nos. 15 H.P. pumps at Oil Water Separator. He has to look after the workshop at Marine Oil Terminal having lathe, grinding machine and other accessories, compressors and welding transformers, 3.3-K.V. sub-station at Pir approach and other sub-station at Jetties to cater to supply of electrical power to different equipments therein. He has to look after two electrical pumps of 185 H.P. at salt water pump house for fire fighting purposes, 3 Nos. hose handling cranes, 5 ton capacity each and 8 Nos. Capstans of 50 H.P. each. In addition to all the above works, he has to look after operation, maintenance and repairs of 11 Nos. Navigational lights at and around Butcher Island. This work is of strategic importance from the point of view of movement of oil tankers at Butcher Island during night hours. Failure to attend to these lights in time leads to cancellation of tanker's berthing and sailing thus affecting adversely oil traffic and in turn loss of revenue to the Port Trust. He further states that the Technical Supervisor has to often go personally to attend to these lights in sea around Butcher Island, since electricians at times are reluctant to go into the sea without the help and guidance of Technical Supervisors. In para. 7 of the affidavit it is stated that it takes years for a new entrant to get thoroughly acquainted with this system and attain the required degree of confidence to tackle all sorts of operations in time independently. Even slight mistake while manipulating the equipment leads to contamination of valuable oil. As regards the oil operation at Marine Oil Terminal, Butcher Island the Technical Supervisor has to look after the different operations at all the three jetties such as loading and discharging of various grades of petroleum products, bunkering operation of both Industrial furnace oil and light diesel oil flushing operations, circulation of water plugs etc. At jetties he has to examine the shore connections to the Bombay Port Trust oil headers and coordinate the pumping by remaining in close contact with the representatives of the oil Companies concerned for any eventuality. He has to look after the sump pump at jetties. At Tank farm M. O. T. he is expected to look after industrial furnace oil tank, fresh water tank and industrial diesel oil tank, high speed diesel tank, sump tank and salt-ballast. He has also to look after oil water separator and ensure that the oil is properly skimmed at the separator and pumped back to sump tank No. 5 and clear water let out to sea. At jetties besides oil operations he has to look after the installations and maintenance of gravity rubber tenders at all the 3 jetties, 110 rubber tenders at each of the jetties Nos. 1 and 3 and 52 at jetty No. 2 and maintenance of sus-

pension links and Cast Iron cover plates. It is stated that these operations being open to sea are very risky and slight negligence on the part of the staff may lead to serious accident. Only a Technical Supervisor of wide experience and diligent working can handle such type of work properly. In addition to this he has to overhaul, repair and maintain salt water fire hydrant line with all its accessories including venturi connection, and fire tower monitors for fighting fire. He has to carry out entire maintenance and repairs of all the oil pipe lines at the Island involving hot work such as welding and gas cutting. It may be of interest to note that throughout the narration of the duties of the Technical Supervisors nowhere has EW-2 stated that the work of Technical Supervisor is actually supervisory. A reading of the affidavit clearly shows that the Technical Supervisor has to attend to the above duties personally may be assisted by fitters, mazdoors, nowganese, who are less skilled and qualified than he. During the cross-examination he stated that the duties of Technical Supervisors are predominantly supervisory. They are said to supervise the duties of chargemen, electricians, fitters, muddadams, mazdoors etc. According to him it is at the discretion of the Foreman O.P.L. post any one on overtime depending upon the exigencies of work. For the non-scheduled staff the Foreman grants leave, but in the case of Scheduled staff it is only the Junior Executive Engineer that is competent to grant leave. He further states that the Technical Supervisor is competent to recommend the grant of leave to any workman taking into account the pressure of work on any given day. The charge Memos are always issued under the signature of the Junior Executive Engineer. It is the Foreman who recommends grant of loan from the G.P.F. The Technical Supervisor has no hand in it. In reply to a question he admitted that the Technical Supervisor is required to look after the plant and machinery and carry out the repairs and maintenance as per the instructions, guidance and supervision of the Foreman. The duties of the Foreman enumerated by him stand in sharp contrast with the duties of Technical Supervisor as narrated by him in para. 4 to 11 of his affidavit. The Foreman O.P.L. is required to look after the oil pipe line operations and distribution of oil to various Oil Companies and installations, maintenance and repairs of oil pipe line, plant and machinery in general, looking after labour, checking of newly built tanks of Oil Companies by carrying out Hydrostatic test, supervising all types of hot work (i.e. welding and gas cutting), preparing estimates regarding laying of different types of oil pipe line and accessories, office correspondence on all matters pertaining to O.P.L. Section and looking after the labour matters and correspondence regarding the same, detailing of staff and guiding the supervisory staff in case of complicated jobs, placing indent on Controller of Stores for material requirements of the Section and also carry out correspondence regarding the same.

Mr. Oslei D'Mello, the Chief Mechanical Engineer, TW-1 speaks about the impracticability of rotating the Technical Supervisors, who work mainly at four different places. During the course of his cross-examination by the General Secretary of the B.P.T. Employees' Union he stated that the Technical Supervisors' posts are in the supervisory category, from which all the higher supervisory posts in the Oil Pipe Lines Section are filled in. The Technical Supervisor is required to ensure that all the maintenance operations and repair work are carried out properly, that the material required for the job assessed and obtained and assist the Pipe Line Foreman in discharging the responsibility of running the shifts. He admits that during the day shift Technical Supervisors work under the guidance and instructions from the Foreman. Since no repair work is undertaken during the second and third shifts no Foreman will be on duty during that period. In para. 4 of the letter addressed by TW-1 to the Legal Adviser it is stated that the Technical Supervisor is a vital link of communication between the workers actually carrying out the work and the Foreman of all the Oil Pipe Line Sections. This letter does not disclose that the Technical Supervisor has got any power of superintendence over the staff i.e. fitters, drivers, cleaners etc. working under him.

EW-3, M. S. Jadav is a Technical Supervisor working at Butcher Island since 1969. According to him his duties as Technical Supervisor is to supervise the work of labourers. In the morning he distributes the work among the labourers. He allots the work to different labourers working under him. He supervises their work at various places. At the end of the shift he prepares a report of his work. He claims that his work is purely supervisory. If any labourer finds any difficulty in executing the work entrusted to him he would help him to execute that work. He says that he supervises the work

of chargemen, highly skilled Fitters, Fitters, Electricians, Wiremen, Asstt. Wiremen, Mazdoors, Muccadams, Nowganese, Hamals Drivers and Cleaners. He says that he cannot sanction casual leave or any kind of leave. He does not also prepare confidential reports of the persons working under him. He only recommends the grant of casual leave and other leave.

EW-4 Shri P. S. Nekete has been working at Butcher Island since 1970. Like EW-3 he also says that the Technical Supervisors' main job is to supervise the Oil Pipe Line operation and maintenance of gears. He supervises the work of Chargemen, First Grade Electrician, Wiremen, Asstt. Wiremen, Highly skilled Fitters, Basic Tradesman, Muccadam, Mazdoors, Drivers and Cleaners. He does not do any manual work himself. The machinery is operated by Electricians, Fitters other categories of workmen. His job is to supervise their work. He helps any workman in solving any difficulty faced by him in the discharge of his functions.

WW-1 A. K. Khangaonkar another Technical Supervisor working at Butcher Island stated that he is expected to supervise the operations and maintenance of O.P.L. and electrical work. The Technical Supervisor is also required to supervise the operation in sub-marine Oil Pipe Line.

WW-2 Wadhwa Ramchandra Tulsio deposes that the main job of a Technical Supervisor is to give Technical Assistance and that supervisory work is incidental, operational and maintenance work is carried out under the supervision of the Foreman. The Technical Supervisors are to fill up the allocation of work forms, write maintenance and operational log book and overtime work log book. The work of technical assistance consists of doing the line connections as per the requisition of the Oil Companies under the supervision of the Foreman, carry out the daily maintenance work under the guidance and supervision of the Foreman, to attend to possible leakages and sudden break downs, carry out the repairs and maintenance work of plant and machinery under the supervision of the Foreman. He differs from the view of EW-2 when he says that the functions of the Technical Supervisors are mainly supervisory. In his cross-examination he admits that he is personally interested in supporting the Union in their demand for introduction of the system of rotation. He also stated that the defects in the valves are attended to by the Fitters. Similarly, in case of expansion joint the repairs are carried out by the Fitters with the help of Foreman. He further stated that he carried out the repairs to Electrical Pump and an entry to that effect is in the log book. He was asked to show that entry in the log book produced before the Tribunal. He could not do so. He stated that during the operation of Slop Pump, the Technical Supervisors are normally present to instruct the Electrician as to what type of work they should carry out.

WW-3, S. P. Birje is a Fitter in the Oil Pipe Line Section. He aspires to become a Technical Supervisor after passing the necessary departmental tests. I do not propose to attach much importance to his evidence.

Besides the above technical work, the Technical Supervisors are expected to maintain certain registers. Ex. F-18 is a log book (operational) for the period 14-9-1975 to 2-1-1976. It gives the names of Tankers loaded or unloaded at the various jetties at Trombay Manifold and the hours of work. Ex. E-19 is the daily maintenance register for the period from 1-2-1975 till 3-2-1976. It is merely a record of the various items of maintenance work carried out daily at various places with Technical Supervisors' remarks. It is countersigned by the Foreman. It does not indicate the performance of any supervisory work by the Technical Supervisors. At the end of the month a summary of the maintenance work carried out is written under the Technical Supervisors' Signature, which has to be countersigned by the Foreman. Ex. F-20 is a register showing the arrangement of non-Scheduled Staff for the period 11-9-1975 to 11-3-1976. It gives the numbers of the various members of the staff working at different places and in different shifts. This register also is a faithful record of the places where each workman works. It does not show that the Technical Supervisor has got any authority to distribute the workmen at different places of work. From the evidence of EW-1 it appears that it is the Foreman that has got a right of posting the staff for execution of a given job. Ex. F-22 is a log book maintained for the period 1-8-1974 to

10-12-1975 for Tankers at Pir Pau Jetty. It gives the date on which Tanker is received, the name of the Tanker, the number of Oil Pipe Line to which it is connected, the nature of operation, the time at which the hose is fixed to the Pipe Line and O.K. Given, the time at which the work is started and stopped, the time at which the message is received. In the remarks column the name of the Fitter and the jetty are given. Ex. E-23 is the record of the running of the slop pump at Manifold with effect from 5-9-1974. It gives the defects if any, the nature of repairs carried out and whether after the repair the Pump is working properly or not. Ex. F-24 is the monthly Electrical Consumption Register at Pir Pau, Trombay. This has to be prepared by the Technical Supervisor and countersigned by the Foreman for each month. Ex. E-25 is the maintenance of Electrical Lighting sub-station at various places at Pir Pau with effect from 1-5-75. It gives the nature of work done by the Technical Supervisor at each point on a given date together with his remarks. Ex. F-26 is a register showing day to day record of deployment of staff for overtime at Pir Pau from 1-12-1975. Here again the Foreman it is that is competent to allow overtime and it is for the Technical Supervisor to record the actual overtime that is done by any employee. A scrutiny of the entries in the above registers shows that the work involved in maintaining these registers is more ministerial than supervisory.

As observed by the Supreme Court in 1961 (I), L.I.J. 18 in considering the question whether the duties of a particular employee are of supervisory nature it should be seen whether he occupies a position of command or decision and if he is authorised to act within the limit of his authority without the sanction of the Manager or other Supervisors. The above discussion of the evidence clearly shows that the Technical Supervisors in question are not clothed with that authority. The evidence of WW-1 clearly shows that the Technical Supervisors work on the instruction from and under the supervision of the Foreman during the first shift. There is considerable technical work to be done during the first shift and not in the other shifts.

Further in para. 5 of the Resolution Ex-E7 the Management itself referred to the Technical Supervisors as workmen within the meaning of the Industrial Disputes Act, when they sanctioned the creation of this post. This is a strong circumstance in favour of the workman.

Point 1 answered accordingly against the management.

Point 2 :—Shri R. K. Shetty for the management contends that the General Secretary, B.P.T. Employees' Union has no locus standi to espouse the cause of the Technical Supervisors in the absence of any resolution of the Union authorising him to do so or evidence to show that an appreciable number of the members of the Union are supporting the cause of the aggrieved workmen herein. Reliance is placed on the decision reported in 1961 (II) L.I.J. 436 (SC) for this purpose. That decision is an authority for the proposition that an outside agency which has nothing to do with the workmen cannot espouse his cause so as to bring it within the meaning of an individual dispute as defined in the Act, because the outside Union does not represent the workmen of the establishment so as to create a dispute between the workmen of the establishment on the one hand and the owner of the establishment on the other. However, an outside Union can by supporting an industrial workman convert an individual dispute to an industrial dispute if a large number of workmen of the industrial unit concerned in the dispute or a majority of them are members of such a union. The facts of that case are clearly distinguishable from the facts of the present case. The facts in the reported case are that the cause of one aggrieved employee of the Hindu (Newspaper) was taken up by an outside Union viz., Bombay Union of Journalists. Only two of the three journalists of the Hindu at Bombay were members of that Union namely the aggrieved person and one Venkateswaran. Venkateswaran dissociated himself with the dispute. Under those circumstances it was held that an outside Union could not espouse the cause of a single member of another establishment. In this case all the members of the Union in question are the employees of the Bombay Port Trust including some of the aggrieved Technical Supervisors like WWS 1 and 2. In the circumstance it must be held that the Union is competent to take up the cause of the aggrieved employees of the management.

Further this plea of want of necessary authority in the Union to represent the workmen in question is taken after the entire evidence was closed. So the Union was not in a position to lead evidence on the question whether the dispute in question is supported by an appreciable number of its members.

Point 2 held against the management.

Point 3 :—It is stated that there are 19 posts of Technical Supervisors in the Bombay Port Trust establishment, out of which 15 posts were being operated on the date of this reference. These Technical Supervisors are posted at four different places viz., Indira Dock, Wadala, Pir Pau and Butcher Island. While the Technical Supervisors posted at Pir Pau, Wadala and India Dock work in three shifts of eight hours each, the Technical Supervisors posted at Butcher Island work in two shifts of 12 hours each. This is because Butcher Island is separated from the main land by some distance and to reach that place one has to travel by Launch for 45 minutes from Victoria Dock. Thus the Technical Supervisors working at Butcher Island get a fixed overtime of four hours and 45 minutes during the first shift and 5 hours and 45 minutes in the second shift (45 minutes in each shift represents the time taken by Launch to reach Butcher Island). The post of Technical Supervisor is said to be an entry post that is to say the post to which people are directly recruited. The persons who possess diplomas in Electrical and Mechanical Engineering are eligible to hold this post. The least complicated O.P.L. and Electrical installations are at Indira Dock and Wadala and the most complicated are at Butcher Island. The work at Pir Pau, O.P.L. is slightly more complicated than at Wadala and the work at Wadala is more complicated than the work at Indira Dock. Therefore a fresh recruit to the post of Technical Supervisor is first posted at Indira Dock and from there moved to Wadala and from Wadala as he gets more experience to Pir Pau. There is absolutely no grievance for the Technical Supervisors if they are not rotated as among the three places viz., Indira Dock, Wadala and Pir Pau for the simple reason that opportunities to earn overtime wages are negligible at these three places. May be at Pir Pau the Technical Supervisors get a chance of earning Rs. 200 per month as overtime. A statement of the overtime earned by the Technical Supervisors at Pir Pau and Butcher Island for the month of August, 1974 is filed by the management. It shows that even a Technical Supervisor working at Pir Pau was earning about Rs. 500-600 overtime. As explained by Shri S. K. Shetye of the Union this large overtime earning at Pir Pau for that month was because not all the 19 sanctioned posts of the Technical Supervisors were filled up. From the evidence of EWs 3 and 4 who are Technical Supervisors working at Butcher Island it is clear that overtime earnings at Pir Pau is not more than Rs. 200 P.M. while at Butcher Island it would range from Rs. 700-800 per month. While the pay of EW-3 without overtime is Rs. 862 per month, with overtime it is Rs. 1750 (gross) per month. Similarly the pay of FW-4 without overtime is Rs. 850. With overtime it is Rs. 1600 per month (gross). The Technical Supervisor once posted to Butcher Island remains there till he gets his next promotion the post of Shift Engineer or Foreman or till the date of his retirement. The Technical Supervisors working at the other three places are also permanently posted at those places and do not get an opportunity of earning overtime by working at Butcher Island. Admittedly all the Technical Supervisors working at the four different places viz., Indira Dock, Wadala, Pir Pau and Butcher Island belong to the same cadre enjoying the same scale of pay and common seniority list. Their qualifications are identical. The Union demands that in fairness the system of rotation of Technical Supervisors working at the four places should be introduced so that the overtime wages may be shared by all of them equitably. The contention of the management is that the practice in the Port Trust is to post the senior-most employees at places where there are greater opportunities of earning overtime. They say that this acts as a great incentive for the senior workmen to put forth their best effort. The other reasons given by the management for refusing to concede the demand for rotation is that at Butcher Island the nature of operations and the installations requires handling by the most experienced and consequently the seniormost Technical Supervisors. They say that if a raw recruit working at India Dock is posted by rotation at Butcher Island there would be every chance of accidents taking place and very valuable equipment being lost. They say that the loading and unloading operations of the Oil Tankers will also suffer and consequently there

will be a great loss of revenue to the Bombay Post Trust and to the nation.

In view of the evidence of TW-1 and that of WW-1 Mr. Shetye for the Union had to concede that the Technical Supervisors working at Indira Dock and Wadala will not be quite suitable for being posted to Butcher Island as they lack sufficient experience to handle the complicated Oil Pipe Line system and the Electrical Installations. He says that the Technical Supervisors working at Pir Pau are sufficiently experienced and qualified to handle the work at Butcher Island and therefore rotation of the Technical Supervisors working at Pir Pau and Butcher Island may be considered.

Before we consider the feasibility of this demand for rotation between Pir Pau and Butcher Island the justification for the demand will have to be considered. From the statement Ex. F-8 filed by the management the dates of birth of the various Technical Supervisors working under the Bombay Port Trust as on 23-8-1975 may be seen. The date of birth of FW-3 Jadhav is 1-6-1940. The date of birth of EW-4 is 29-1-1944. EW-3 has been working at Butcher Island from 1969 and EW-4 from 1970. The date of birth of C. J. Desai, S. No. 15 in the seniority list is 24-12-1944. Since he is also of the same age group as EWs 3 and 4 and others working at Butcher Island he may not get his turn to work at Butcher Island unless others above him get rapid promotions. In spite of pointed questions being put to the learned Legal Adviser Mr. Shetty and EW-1 who was instructing him they were not able to say within what reasonable time the senior persons working at Butcher Island were likely to get their chance for promotions and their juniors at Pir Pau could look forward to a posting to Butcher Island. The management was asked to indicate roughly whether the persons working at Butcher Island can expect their turn for promotion within 5-6 years from the date of their being posted there. Mr. Shetty was not able to answer the question EW-3 has been working at Butcher Island for the past eight years and EW-4 for the past seven years without any promotion being in sight in the near future. Therefore if the persons belonging to the same age group, category and pay scales working at Pir Pau are aggrieved that they are not given a fair opportunity of earning overtime their grievance cannot be considered to be unreasonable. It is no consolation for him to be told that before his retirement he would get his turn. By then he will be too old and lose the zest for life and the inclination to learn a different and more arduous type of work. It is admitted by the Chief Mechanical Engineer, TW-1 during the course of his examination by Mr. Shetty that in his opinion the Technical Supervisor who has put in good work at Indira Dock, Wadala and Pir Pau should be able to work at Butcher Island. He further stated that the Technical Supervisors A. M. Ansari and WW-1 A. K. Khanagankar posted at Butcher Island from Pir Pau were found working satisfactorily. In his evidence EW-3 Jadhav also says the same thing. According to him soon after he was recruited he was asked to work for about two months at each of the places Indira Dock, Wadala, Pir Pau and Butcher Island and after that initial posting of two months at Butcher Island he did not get any opportunity of working there till he was regularly posted in the year 1969 by virtue of his seniority. After he was posted to Butcher Island no special training was given to him. In spite of it he was able to discharge the functions satisfactorily. He made the position clear by saying that at Butcher Island in the first shift two senior Technical Supervisors and another Technical Supervisor junior to him are posted and for the second shift one Senior Technical Supervisor and another Technical Supervisor Junior to him are posted so that the Junior Technical Supervisor may get proper guidance and instruction from his seniors. In such an event there is no reason why an experienced Technical Supervisor working at Pir Pau should not be in a position to discharge his functions satisfactorily at Butcher Island under the guidance of his seniors for the time being.

Apart from the grievance of being deprived of the overtime benefits it is argued on behalf of the workmen that by working at Butcher Island for a period of 12 hours at a stretch in each shift and spending more than an hour each way in going to and returning from Butcher Island the health of the workman and his family life are likely to suffer. When questioned about this FWs 1, 3 and 4 asserted that they were never in better health than while working at Butcher Island in the 12 hourly shifts. They say they have never experienced any fatigue or strain during the 7 or 8 years of their service

at Butcher Island. They also say that they are able to look after the welfare of their wives and children and also devote some time to coach their children in their studies. Mr. Shetye for the Union submits that these statements are made because it suits them to say so and the fact that their family life will be adversely affected by their long absence from home cannot be denied. He also pointed out that one Soman, working at Butcher Island as Technical Supervisor addressed a letter to the Engineer, M.O.T. to post him at Pir Pau on a permanent basis on account of household trouble. He stated that on account of household trouble it had become strenuous for him to observe Butcher Island timings, particularly early attendance and late report after duty hours at Dock No. 15 Victoria Dock. EW-3 however stated that the operational work goes on continuously round the clock. The lunch break is from 1.00 P.M. to 1.30 P.M. but it is open to him either to avail of the lunch break or to postpone it if there is pressure of work. He added even during operations he would get some leisure. Mr. Shetye for the Union stated that whether the work at Butcher Island is strenuous or not still one has to take notice of the fact the family life would be affected by the workman being absent from home for more than 13 hours in the day for six days in a week. He says that it is not so much the money that counts in the long run as the happy family life. For these reasons he submits that there is a case for introducing rotation and thus reducing the number of hours per head of overtime. He also submits that for the promotional posts of Shift Engineer and Foreman only such of those Technical Supervisors who have experience of work at Butcher Island are eligible. He says that if years together this opportunity to serve at Butcher Island is denied to efficient and capable Technical Supervisors at Pir Pau by refusing rotation their prospects of securing promotional posts are adversely affected. When the Chief Engineer TW-1 says for working in Butcher Island, people who have experience in working at India Dock, Wadala and Pir Pau are competent to be posted, there is no point in refusing to give them also an opportunity of working at Butcher Island in order to enable them to try for speedy promotions. There is force in this contention.

For these reasons I hold on point 3 that there is justification for the demand for rotation between Pir Pau and Butcher Island alone.

Point 4 :—The management maintains that it will be suicidal to concede the demand for rotation so far as they are concerned. This plea was based on the demand as originally made for posting inexperienced Technical Supervisors working at India Dock and Wadala also at Butcher Island. Since Shri Shetye has conceded the position and the evidence also discloses that the people working at India Dock and Wadala are unfit to handle the work at Butcher Island the management need have no fear about the feasibility of the modified demand for rotation. Even TW-1 Chief Mechanical Engineer conceded the position that a Technical Supervisor who had the experience of work at Oil Pipe Line and Electrical Installations at Indira Dock, Wadala and Pir Pau will be suitable for work at Butcher Island. EW-3 states that soon after he was posted at Butcher Island the Engineer, M.O.T. took him round to different places of work and explained to him the same. The next day the Foreman explained him the nature of work. Thereafter he could learn the work himself on his own. Whenever there is any difficulty he was taking the advice and instruction from the Foreman. He further adds that by the time he was posted to Butcher Island there was a Technical Supervisor senior to him also working there and from him he could learn the work. If EW-3 could learn the work at Butcher Island in this way within a few days after his posting on his own I see no reason why the other Technical Supervisors equally qualified should not learn the work with equal ease. Mr. Shetye for the Union invited the attention of this Tribunal to Ex. E-7 a copy of the Resolution of the Trustees of the Bombay Port Trust dated 17-5-1963 by which the post of Technical Supervisors were created for the first time. In para. 4 of that Resolution it was decided that at M.O.T. Butcher Island because of the transport difficulties the work should be carried on in two shifts of 12 hours each. The Technical Supervisors who would be deployed at M.O.T. Butcher Island would be entitled to overtime, whereas this benefit would not normally be available to those Technical Supervisors who might be posted in other Sections. The Additional Mechanical Superintendent suggested that in order to discount the possibility of any discontent arising amongst the Technical Supervisors

in the matter of overtime allowance and that of complaints against continuous arduous duties recurring their posting at Butcher Island should ordinarily be done by rotation. The Additional Mechanical Superintendent readily agreed to arrange this rotation. The said Para. 4 of the above resolution is relied upon by the workmen in their statement of claim. In para. 12 of the management's written statement the recommendations of the Additional Mechanical Superintendent contained in para. 4 of Ex. E-7 is sought to be explained away by saying that the then Additional Mechanical Superintendent had in mind the question of rotation of the Technical Supervisors between Pir Pau and Butcher Island and not rotation between Butcher Island and the other three places. After the above finding recorded by me and the concession made by Mr. Shetye limiting the demand for rotation between Pir Pau and Butcher Island the plea that this recommendation of the Additional Mechanical Superintendent contained in Ex. E-6 does not apply to the facts of the present case cannot stand scrutiny. The opinion of this highly placed official viz., Additional Mechanical Superintendent (now designated as the Chief Mechanical Engineer) is entitled to great respect. The opinion of I.W-1 (Mr. D Mello) his successor is not inconsistent with the opinion expressed in Ex. E-6. Mr. Shetye for the Union invited the attention of the Tribunal to Ex. E-6 printed copy of the Resolution of the Bombay Port Trust dated 5-12-1972. In para. 10(IV)(a) it is stated that the employees should be rotated at regular intervals at their various places of work and in their shifts, unless in a particular case the rotation cannot be effected for compelling administrative, operational or other equally valid reasons to be recorded in writing by the Head of the Department. As per this T.R. it was decided that the principle of rotation should be extended to all posts of the same category including the posts of Technical Supervisors. In pursuance of this Resolution a notice of change dated 2-1-1973 was served on the various parties. For some reason the principle of rotation was not extended in the case of Technical Supervisors in pursuance of this Resolution Ex. E-6. It is also not disputed by the management that the Head of the Department TW-1 had not recorded any reason in writing as contemplated in Ex. E-6 for refusing to extend the principle of rotation in the case of Technical Supervisors. The reasons now mentioned were given after the dispute had started and not till then. Mr. Shetty for the management urged that to concede the demand for rotation even to the limited extent prayed for by Mr. Shetty for the course of his arguments will run counter to the evidence of TW-1 the independent and disinterested witness, who according to him is the best qualified person to speak in this behalf. But his predecessor who was equally qualified and competent had no doubt regarding the feasibility of introducing the rotation of Technical Supervisors working at Butcher Island and Pir Pau.

Point 4 :—For the aforesaid reasons I hold that the demand that the Technical Supervisors in all the Oil Pipe Line Sections at Indira Dock, Wadala, Tiombay and Butcher Island should be rotated at regular intervals between these Sections is not justified. The demand for rotation of Technical Supervisors between Pir Pau and Butcher Island alone is justified and should be implemented to that limited extent. The Reference is accordingly answered.

P. RAMAKRISHNA, Presiding Officer

APPENDIX I

Sl. No.	Description of Documents	Exhibit Number marks
1.	List of important Mechanical Installations at M.O.T. Butcher Island etc.	E-1
2.	List of important Electrical Installations at Pir Pau.	E-2
3.	List of important Mechanical Installations at O.P.L. Wadala Section.	E-3
4.	List of important Mechanical Installations at O.P.L., I.D	E-4

Sl. No.	Description of Documents	Exhibit Number	Re- marks
5.	Letter No. L/GEE-F. (u)/3790 dated 29th September, 1973 addressed to the Regional Labour Commissioner (Central), Bombay from B.P.T.	E-5	
6.	Excerpt from the Proceedings of a Meeting of the Trustees of the Port of Bombay, held on the 5th December, 1972. (T.R. No. 1581 dated 5-12-1972).	E-6	
7.	Extract of Trustees' Resolution No. 1062 dated 17-12-1963.	E-7	
8.	Seniority List of Technical Supervisors O.P.L., M.O.T. Section.	E-8	
9.	List of Technical Supervisors who have worked at M.O.T. Butcher Island.	L-9	
10.	Letter No. L/GEL-G(u)/2702 dated 13th June, 1974 addressed to the Trustees by B.P.T. with a copy of Award dated 10-5-74.	E-10	
11.	Letter No. CMF/L/I-ABP (U)18155 dated 22-8-1975 addressed to the B.P.T (Legal Adviser) by Shri Osler D'Mello, Chief Mechanical Engineer.	L-11	
12.	Letter dated 3-10-1974 addressed to the Engineer, M.O.T., Butcher Island by Shri S.R. Soman, Technical Supervisor, Butcher Island	E-12	
13.	Letter dated 1-9-1975 addressed to the Chief Mechanical Engineer, B.P.T. by six Technical Supervisors.	E-13	
14.	Letter dated 1-9-1975 addressed to the Chief Mechanical Engineer, B.P.T. by Shri P.S. Nehete Technical Supervisor.	L-14	
15.	Letter No. E/I-ABP/39424 dated 11-3-1969 to Engineer, M.O.T.	E-15	
16.	Letter No. CM/DC/210/71 dated 19-3-1971 addressed to B.P.T. by the Union	L-16	
17.	Letter No. CME/E/I-ABP (U)/21134 dated 18-9-1975 from Chief Mechanical Engineer.	L-17	Colly.
18.	Log Book Register of B.P.T.	E-18	
19.	Daily Maintenance Register of B.P.T.	E-19	
20.	Staff arrangement Register of B.P.T.	E-20	
21.	Debit slip, Manifold O.P.L. Staff allocation.	E-21	
22.	Register showing tanker at Pir Pau Jetty.	E-22	
23.	Register of Slop Pump .	E-23	
24.	Register of Electrical monthly readings	L-24	
25.	Register of Maintenance of Electrical lighting sub-station at various places at Pir Pau.	L-25	
26.	Register of day to day record of deployment of staff for O.T. at Pir Pau	F-26	

APPENDIX II

Sl. No.	Description of Documents	Exhibit Number	Re- marks
1.	Extract from statement of Duties and responsibilities filled by B.P.T. in reply to 'C' form before the Central Wage Board for Port & Dock Workers.	W-1	
2.	Letter No. I/I-ABP/19783 dated 8-8-1967	W-2	
3.	Chart showing the scheme for the rotation of Technical Supervisors between four sections.	W-3	

Sl. No.	Description of Documents	Exhibit Number	Re- marks
4.	Extract from B.P.T. Employees' Union's written statement of claim dated 20-3-74 item No. 35.	W-4	Colly.
5.	Oral judgement in Special Civil Application No. 68 of 1971 dated 3-12-1971.	W-5	
6.	Excerpt from the Proceedings of Meeting of the Trustees of the Port of Bombay, held on the 17th December, 1963 (T.R.No. 1062 dated 17-12-1963).	W-6	

APPENDIX III

Sl. No.	Description of oral evidence	Exhibit No.	Re- marks
1.	Deposition dated 19-8-75 of Shri A.V. Singanamally, Jr. Executive Engineer.	EW-1	
2.	Deposition dated 19-8-75 of Shri E. V. Pai Cuchalkar.	EW-2	
3.	Deposition dated 31-3-77 of Shri M. S. Jadhav, Technical Supervisor	EW-3	
4.	Deposition dated 4-4-77 of Shri P. S. Nehete, Technical Supervisor.	EW-4	
5.	Deposition dated 20-8-75 of Shri A. K. Khangaonkar, Technical Supervisor.	WW-1	
6.	Deposition dated 29-1-76 of Shri Wadhwa Tulio, Technical Supervisor.	WW-2	
7.	Deposition dated 10-3-77 of Shri S. P. Birje, Fitter.	WW-3	
8.	Deposition dated 18-9-75 of Shri Osler D'Mello, Chief Mechanical Engineer.	TW-1	

P. RAMAKRISHNA, Presiding Officer
[No. L-31011(i)/73-P&D]

NAND LAL, Desk Officer

New Delhi, the 21st May, 1977

S.O. 1928.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of West Mudidih Colliery of Messrs Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad and their workmen, which was received by the Central Government on the 17th May, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-COAL LABOUR COURT (NO. 3), DHANBAD
Reference No. 52 of 1977

(In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947)

PARTIES :

Employers in relation to the Management of West Mudidih Colliery of Messrs Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad,

AND

Then Workmen.

APPEARANCES :

On behalf of the Employers—Shri R. N. Mazumdar, Superintendent.

On behalf of the Workmen—Shri Govind Singh, Secretary, K.I.M.P. Union.

STATE : Bihar.

INDUSTRY : Coal.
Date, Dhanbad, the 12th May, 1977.

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Minis-

try of Labour regarding the demand of the workmen mentioned therein working in West Mudidih Colliery of M/s Bharat Coking Coal Limited. This reference under Order No. L-20012(282) 75-F-III(A), dated, the 19th June, 1975 was sent to the Central Government Industrial Tribunal No. 2, Dhanbad, and was numbered as Reference No. 32 of 1976. On 4-4-77 under Order No. S-11025(1) 77-(i)D.IV(B) dated 22-2-77 of the Ministry of Labour, it was transferred to this Tribunal.

2. The schedule of reference is as follows.—

"Whether the demand of the workmen, Siva Shri Nema Turi, Ramdas Paswan, Shri Paswan, Bhaso Singh, Harkhit Dusadh, Sohrai Bhuria and Smt. Gouri Turin, that the management of West Mudidih Colliery of Messrs. Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad should regularise their services is justified? If so, to what relief are they entitled?"

3. From the record it appears that there was a conciliation proceeding at the instance of the Secretary Koyla Ispat Mazdoor Panchayat, but when it failed, a failure report dated 20th December, 1975, was submitted to the Secretary to the Government of India, Ministry of Labour by the Assistant Labour Commissioner (C), Dhanbad, and then the present reference was made.

4. From the record it appears that the workmen have filed their written statement. From the written statement it appears that they were employed as casual wagon loaders on piece rate basis in West Mudidih Colliery from long before the colliery was taken over by the Bharat Coking Coal Limited in January, 1973 and they continued to work as such till they were transferred on permanent job on time rate basis of loading the crusher machine with slack coal at Hard Coke Bhatta, some time in the first half of the year 1974. Unfortunately the designations, however, remained piece rated casual worker. Representations were made by the Union and thereafter the dispute was raised before the Assistant Labour Commissioner (C) and as I have already said earlier the present reference was made. The claim of the workmen is to place them in a class of permanent time rated workers with effect from 18th March, 1975 and to stop the unfair labour practice of the employers.

5. On behalf of the Bharat Coking Coal Limited no written statement has been filed and the picture of their case is available from their comments on the letter of the Union to the Assistant Labour Commissioner (C). There is a denial that the concerned workmen were employed permanently on the job of loading crushing machine with slack coal. There is also a denial that they were stopped from work and another set of equal number wagon loaders were employed in their place. It is said that in fact the work was not available in the Hard Coke Ovens and they were asked to go to their original job of wagon loaders from 21-9-75 which they did not do and never reported thereafter.

6. During the pendency of this reference there has been a settlement between the representative of employer and the representatives of the Union representing workmen Shri S. K. Sharma, Vice-President, Koyla Ispat Mazdoor Panchayat and Shri Govind Singh, Secretary of the Union represented the workmen. After discussion they arrived at the settlement and the terms of the settlement were recorded and the memorandum of settlement has been filed today in this Tribunal.

7. According to the terms of settlement the concerned workmen have been regularised and placed in time rate Category I job. There is also an agreement that the intervening period will be treated as leave without pay for the purpose of continuity of service.

8. It is mentioned in the petition that the concerned workmen have joined their duties and are working as regular employees of the company and the prayer is to accept the compromise as fair and reasonable and to pass an award in terms thereof.

9. I find that the demand of the workmen mentioned in the schedule have been met by means of settlement arrived at between their representatives and the representative of the

employers. The terms of settlement are fair and reasonable. Award is made accordingly. The memorandum of settlement will form part of the award.

S. R. SINHA, Presiding Officer
[No. L-20012/282/75-DIJA]

**BEFORE THE HON'BLE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO. 3-DHANBAD**

Reference No. 52 of 1977

PARTIES :

Employers in relation to West Mudidih Colliery of M/s. Bharat Coking Coal Ltd.,
AND

Their Workmen.

COMPROMISE PETITION ON BEHALF OF THE EMPLOYERS & WORKMEN

1. The following industrial dispute was referred to the Central Government Industrial Tribunal, No. 3, Dhanbad.

"Whether the demand of the workmen, S. Shri Nema Turi, Ramdas Paswan, Shree Paswan, Bhaso Singh, Harkhit Dusadh, Sohrai Bhuria and Smt. Gouri Turin that the management of West Mudidih Colliery of M/s. Bharat Coking Coal Limited, P.O. Sijua, District Dhanbad, should regularise their services is justified? If so, to what relief are they entitled?"

2. The parties have since amicably settled the dispute as a result of which the concerned workmen viz. S. Sri Nema Turi, Ramdas Paswan, Shri Paswan, Bhaso Singh, Harkhit Dusadh, Sohrai Bhuria and Smt. Gouri Turin have been regularised and placed in time-rated Category-I job.

3. It has been agreed between the parties that the intervening period will be treated as leave without pay for the purpose of continuity of service.

4. It is submitted that the concerned workmen have joined their duties and are working as regular employees of the Company. A copy of the settlement is annexed hereto from which it may kindly be seen that the compromise is fair and reasonable.

It is, therefore, prayed that the Hon'ble Tribunal may be pleased to accept the compromise as fair and reasonable and pass an award in terms thereof.

For Employers

Sd/- illegible.
For Workmen

Superintendent West Mudidih Colliery

Secretary, K.I.M.P. Union.

Dated, 11th May, 1977.

(Copy)

**BHARAT COKING COAL LIMITED
(A SUBSIDIARY OF COAL INDIA LIMITED)**

WEST MUDIDIH COLLERY, P.O. SIJUA (DHANBAD)

MEMORANDUM OF SETTLEMENT

NAMES OF PARTIES :

1. Sri R. N. Mazumdar,
Superintendent,
West Mudidih Colliery,
Bharat Coking Coal Ltd.—Representing Employer.
2. Sri S. K. Sharma, Vice-President,
Koyla Ispat Mazdoor Panchayat,
Katras Unit,
P.O. Katrasgarh (Dhanbad) — Representing workmen.
3. Sri Govind Singh,
Secretary, K.I.M.P.—Representing workmen.

SHORT RECITAL OF THE CASE :

Koyla Ispat Mazdoor Panchayat raised an Industrial Dispute with regard to Sri Nema Turi and six other workmen of the West Mudidih Colliery, P.O. Sijua (Dhanbad) of Bharat Coking Coal Ltd., before the Assistant Labour Commissioner (C), Dhanbad. As the dispute could not be sorted out at conciliation level it was referred to the Central Government Industrial Tribunal No. II, Dhanbad for adjudication in the following terms :

"Whether the demand of the workmen, Sarvasri Nema Turi, Ramdas Paswan, Shree Paswan, Bhaso Singh, Harkhit Dusadh, Sohrai Bhuria and Smt. Gouri Turin that the management of West Mudidih Colliery of M/s. Bharat Coking Coal Ltd, P.O. Sijua, District Dhanbad, should regularise their services is justified? If so, to what relief they are entitled."

The concerned workmen submitted their written statement before the said Tribunal which was received on 3-9-76. The matter, was, however, discussed in between the parties out of the court and after prolonged discussion it was agreed to resolve the dispute so referred on the terms mentioned hereinbelow :

TERMS OF SETTLEMENT

1. That Sarvasri Nema Turi, Ramdas Paswan, Shree Paswan, Bhaso Singh, Harkhit Dusadh and Smt. Gouri Turin of West Mudidih Colliery though designated and working as casual Wagon Loaders on piece-rate basis, were engaged subsequently on time-rate basis for feeding coal to crushing machine at Hard Coke Ovens for more than 12 months in the same job. In view of this fact, it is agreed to employ the said workmen as General Mazdoor in Category-I on the same terms and conditions applicable to other Category-I Mazdoors. As regards Sohrai Bhuria, he is already working and as such, no dispute stands with regard to him.
2. That the intervening period from 4-10-75 to 18-10-77 and September 1976 to till date in respect of S/Shri Nema Turi, Ramdas Paswan, Shree Paswan, Bhaso Singh, Harkhit Dusadh, 4-10-75 to 18-10-75, 8-11-75 to 22-11-75 & 13-12-75 to 20-12-75 in respect of Smt. Gouri Turin and 4-10-75 to 18-10-75 in respect of Sohrai Bhuria will be treated as leave without pay for the purpose of continuity of service, from the date when they were first appointed as Casual Wagon Loaders.
3. That the concerned workmen except Sohrai Bhuria who is already on duty will report for duty within 15 days from the date of this settlement as agreed upon.
4. That this resolves all outstanding disputes with regard to the above named workmen pending before the Industrial Tribunal No. 2, Dhanbad, for adjudication.

SIGNATURE :

Sd/- (S. K. Sharma)
7-2-77
Vice President,
K.I.M.P.
Katrasgarh.

Sd/- (Srigovind Singh)
7-2-77
Secretary,
K.I.M.P.
Katrasgarh

Sd/- R. N. Mazumdar
7-2-77
Superintendent,
West Mudidih Colliery,
B.C.C. Ltd.

WITNESSES :
1. Sd/- K. N. Gupta
7-2-77
Sr. P.O., Area IV.

2. Sd/- K. K. Khadiya

7-2-77

Manager (Pig.), Area No. IV.

S. R. SINHA, Presiding Officer

New Delhi, the 23rd May, 1977

S.O. 1929.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of West Mudidih Colliery of M/s. Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad and their workmen, which was received by the Central Government on the 17th May, 1977.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD
Reference No. 10 of 1976

PRESIDENT.

Shri S. R. Sinha, Presiding Officer.

PARTIES :

Employers in relation to the management of West Mudidih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Sijua, District Dhanbad.

AND

Their workmen represented by Colliery Mazdoor Sangh, Dhanbad.

APPENDANCES :

For Employers—Shri S. S. Mukherjee, Advocate.
For Workmen—Shri P. K. Bose, Secretary of the Union.

INDUSTRY : Coal.

STATE : Bihar.

Dated. the 13th May, 1977.

AWARD

Under Order No. L-20012/182/75-D, IIIA dated the 21st January, 1976, the Government of India, Ministry of Labour have made a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication of a dispute of Sri Rameshwar Ram, who was working as Munshi underground in the West Mudidih Colliery of M/s. Bharat Coking Coal Ltd. The schedule of reference is as follows :—

SCHEDULE

"Whether the action of the management of West Mudidih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Sijua, District Dhanbad in dismissing the services of Shri Rameshwar Ram, Munshi with effect from the 11th February, 1975 is justified? If not, to what relief the workman is entitled?"

2. The concerned workman was dismissed after a domestic enquiry on the ground of misconduct which consisted of false booking of tubs in the name of Jhaman Das, Hari Das, Jhupar Das & Ialdhari Das, all miners, on 13-1-75, 14-1-75, 15-1-75 & 16-1-75, in the third shift.

3. Whether the domestic enquiry had been fair and proper has been considered separately by me in my Order dated 1-2-77 in which I have found that it had been fair and proper and principles of natural justice have been adhered to. I have also said that there is no scope for a different conclusion than the one arrived at by the Enquiry Officer.

4. While dealing with the domestic enquiry I have considered the evidence of witnesses examined before the Enquiry Officer and also the documents produced before him. I have also considered the statement of Sri Rameshwar Ram the delinquent workman and the evidence of the Attendance Clerk who was examined at his instance and one Chaman Das who had denied that the above-mentioned miners were not on duty and had not taken leave on the above dates. Chandakesh Roy, Trammer, was also examined at his instance and all the 4 concerned miners were examined and I consider

detected the evidence of all the above witnesses. I came to the conclusion that Bhawan Das and Jaldhari Das had applied for leave on the relevant dates which had been granted. The lamp issue register showed that no lamp was issued to these two miners as well as to Hari Das & Bhupan Das who were absent. The attendance register indicated that they were not marked present on all the four days in the third shift. Accordingly, my conclusion was that the raising report Ex. D series had been falsely written by the delinquent workman showing supply of tubs indicating that they had loaded the same.

5. I had considered the principles laid down by the Supreme Court in the case of the Employers of Firestone Tyre and Rubber Co. Ltd., and their workmen reported in Vol. 2 S.C.L.J. 1409 and thereafter I had come to the conclusion which I have referred to above.

6. It would thus appear that while dealing with the domestic enquiry I had taken into consideration all the relevant points which were produced before the Enquiry Officer and I also considered the conclusion arrived at by him. Agreeing with him I had held that the enquiry was proper and there was no scope for any other conclusion on the materials on record except the one arrived at by him. The only point, therefore, that remains to be considered is whether there is any scope for interference by this Tribunal U/S 11(a) of the Industrial Disputes Act, 1947.

7. I have said above that he was charged with false reporting of supply of tubs to 4 miners who were not present in the shift where he was on duty. Under the Standing Order this was a serious misconduct as it amounted to jeopardising the interest of the employer and also defrauding it by giving false report. In that circumstance and there being nothing on record to show that it was a case of victimization or unfair labour practice, the punishment awarded to the delinquent workman is justified.

8. The Enquiry Officer submitted his report to the Manager of West Mudidih Colliery who forwarded it to the Sub-Area Manager of Angarpurtha area with his recommendation. The latter having gone through the enquiry papers recommended dismissal of the delinquent workman and the entire record of the enquiry proceeding was forwarded to the then General Manager/C.M.E. of Area No. 2. He approved of the recommendation after going through the entire record and ordered for the issue of the letter of dismissal which was done. It means that the order of dismissal was passed by a competent authority.

9. In my opinion, action of the management of the West Mudidih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Sijua, District Dhanbad in dismissing the services of Sri Rameshwaram Munshi with effect from 11-2-75 is justified and he is entitled to no relief.

This is my award

S. R. SINHA, Presiding Officer
[No. I-20012/182 75-DIIIA]

New Delhi, the 31st May, 1977

S.O. 1930.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad in the industrial dispute between the employers in relation to the management of Model Angarpurtha Section of Telumari Colliery of Messrs Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad and the workmen, which was received by the Central Government on the 19th May, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

(No. 3) AT DHANBAD

Reference No. 31 of 1977

(In the matter of an industrial dispute under the Industrial Disputes Act, 1947).

PART II S.

Employers in relation to the management of Model Angarpurtha Section of Telumari Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

APPEARANCES :

On behalf of the Employers : Shri T. P. Choudhury, Advocate.

On behalf of the Workmen : None.

STATE : Bihar INDUSTRY : Coal.

Dhanbad, the 11th May, 1977

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour, under Order No. I-20012/15/75, DIIIA, dated the 19th August, 1975 concerning Shri Makbul Mian, Mason, who has been stopped from work with effect from 31st March, 1973 by the management of Model Angarpurtha Section of Telumari Colliery of M/s. B.C.C. Ltd. Schedule of reference is as follows :—

SCHEDULE

"Whether the action of the management of Model Angarpurtha Section of Telumari Colliery of Messrs Bharat Coking Coal Limited, Post Office Sijua District Dhanbad, in stopping Shri Makbul Mian, Mason, from work with effect from the 31st March, 1973 is justified? If not, to what relief is the said workman entitled?"

2. I may mention that the reference was referred to the Central Government Industrial Tribunal No. 2, Dhanbad, by an order dated 18-8-75 and it was numbered as Reference No. 104 of 1975. Subsequently, it was transferred to this Tribunal and it was received on 4-4-1977.

3. From the record it appears that a failure report dated 29-1-75 was submitted by the Assistant Labour Commissioner, (C), Dhanbad to the Secretary to the Government of India, Ministry of Labour, New Delhi, when this reference was made. The dispute was raised by the General Secretary, Bihar Colliery Kamgar Union.

4. On behalf of the workmen it is said that he is a permanent employee and had qualified for the membership of the Coal Mines Provident Fund in the quarter ending 31st March, 1970, having completed more than one year of continuous service. His services were however terminated by the management without assigning any reason or without any charge-sheet or enquiry. This was done to victimise him as he was a very active member of the Union and the management had grudge against him.

5. It is further said that it has been falsely maintained by the management that he was a contractor. This was seriously disputed by the Union and efforts were made for the withdrawal of the illegal order but nothing was done and then the matter was placed before the Assistant Labour Commissioner (C). It is said that he has been unnecessarily victimised and the management is liable to reinstate him with all back wages.

6. On behalf of the management written statement has been filed contending inter alia that the management of the Model Angarpathera Colliery was taken over by the Government of India on and from 31st January, 1973 and was managed by a Custodian till 30th April, 1973. Till that date the previous owner remained the owner of the colliery. Subsequently, on the 1st of May, 1973, ownership and management vested in the Bharat Coking Coal Ltd. On the date of termination of the services of Shri Makbul Mian Bharat Coking Coal Limited was not the owner and the colliery was not under its management and ownership. Therefore, there was no relationship of employer and employee between the parties and there was no industrial dispute with the management on the date of reference.

7. Reference has been made to Sections 7 and 28 of the Coal Mines Nationalisation Act, 1973, and it is submitted that no valid adjudication can be made on the reference which is incompetent.

8. Their case also is that Makbul Mian was not on the colliery roll on the date of take over on 31-1-73 and neither his name was listed in initial man power list prepared immediately afterwards. From the available information it transpired that he had been a petty contractor before the management was taken over and he used to undertake work on contract for different jobs off and on. He ceased to be a contractor after 31-1-73 as no job was entrusted to him after that date.

9. It is submitted that he was not the workman of the colliery and that he has no lawful right for employment and he is entitled to no relief.

10. Parties have not entered into evidence. Arguments have been heard on law point only. It is now well settled that M/s. B.C.C. Ltd. has no liability for anything done or omitted to have been done before the date when the ownership and management of a colliery vested in it on 1-5-73 under the Coal Mines Nationalisation Act, 1973. Section 7 of the Act is relevant and there is a direct authority on the point reported in 1976-Lab-I.C. 1513 (B.C.C. Ltd. Vs-Employees of Dhanbad Colliery and Others). This was a case where Coking Coal Mines (Nationalisation) Act, 1973 was considered but the principle laid down there is applicable to the Mines nationalised under the Coal Mines (Nationalisation) Act, 1973. Section 7 of the Nationalisation Act, 1973 exonerates the Central Government or the Government Company from all prior liability before the appointed day and in the instant case the point in issue is with respect to 31st March, 1973 when the Bharat Coking Coal Limited was not the owner of the Model Angarpathera Section of Tetulia Colliery. That being the position, the reference is invalid. In this circumstance it is not open to the Tribunal to go into the question of justifiability of the action of the management of 31st March, 1973.

This is my award.

S. R. SINHA, Presiding Officer
(No. L-20012/5/75-DIIIA)

S.O. 1931.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Tetulia Colliery of Messrs Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad and their workmen, which was received by the Central Government on the 19th May 1977.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT NO. 3, DHANBAD
Reference No. 29 of 1976**

PARTIES :

Employers in relation to the management of Tetulia Colliery of M/s. Bharat Coking Coal Ltd., P.O. Katrasgarh, Dt. Dhanbad.

AND

Their workmen represented by Bihar Colliery Kamgar Union, Dt. Dhanbad.

APPEARANCES :

For Employers—Sri S. S. Mukherjee, Advocate.

For Workmen—Sri B. Lal, Advocate.

INDUSTRY : Coal

Dated, Dhanbad, the 11th May, 1977

AWARD

This is a reference U/s. 10(1)(d) of the Industrial Disputes Act, 1947, concerning 18 workmen of the Tetulia Colliery of M/s. B. C. C. Limited by the Govt. of India, Ministry of Labour under Order No. L-20012/13/76/DIIA dated the 25th May 1976 and the point in issue is the justifiability or otherwise of the stoppage of work to them with effect from 20th September, 1975. The schedule of reference is as follows :—

SCHEDULE

"Whether the action of the management of Tetulia Colliery of M/s. Bharat Coking Coal Limited P.O. Katrasgarh, Dist. Dhanbad in stopping from work the following eighteen workmen with effect from 20th September, 1975 is justified? If not to what relief are the workmen entitled?"

Sl. No.	Name	Designation
1.	Shri Dukh Ram Pasi	Coal Cutter
2.	Shri Shivraj Pasi	—do—
3.	Shri Siyamber Pasi	—do—
4.	Shri Ramdulare Pasi	—do—
5.	Shri Matru Pasi	—do—
6.	Shri Kalka Pasi	—do—
7.	Shri Chandpal Pasi	—do—
8.	Shri Mohammed Kayum	—do—
9.	Shri Mohammed Asfar	—do—
10.	Shri Mohammed Ahammed	—do—
11.	Shri Abdul Rajak	—do—
12.	Shri Ainul Ali	—do—
13.	Shri Saizuddin	—do—
14.	Shri Hisamuddin	—do—
15.	Shri Bara Abdul Rajak	—do—
16.	Shri Ebne Hassan	—do—
17.	Shri Noor Mohammed	—do—
18.	Shri Ramu Raut	—do—

2. It appears from the record that on getting the failure report from the A.L.C.(C) addressed to the Secretary to the Govt. of India, Ministry of Labour, the present reference was made. That letter is dated the 8th of January, 1976.

3. All the 18 workmen are Coal Cutters and they have been stopped from work with effect from 20-9-75.

4. Case of the workmen is that they are members of the Bihar Colliery Kamgar Union and they have been victimized on account of the active support to the Union which have been fighting for the cause of the labour.

5. Their case also is that they have been working as permanent employees at the Tetulia Colliery and when they were stopped from their normal duties with effect from 20-9-75, they protested and demanded resumption of work but the same was turned down on some ground or the other. They being employed in coal cutting which is a regular type of work, there was absolutely no justification for the management to stop them from their work. They have all along been paid by the management and have been working under direct supervision and control of the management.

6. Being dissatisfied and aggrieved with the action of the management dispute was raised before the A.L.C. (C) before whom the management took varying stands and due to the adamant attitude of the management conciliation could not succeed.

7. It is submitted that the action of the management is not justified and they are entitled to be reinstated.

8. Stand of the management is that before approaching the A.L.C. the workmen did not make any demand on it directly and therefore the reference is invalid.

9. It is further said that out of the 18 listed workmen Sl. No. (5) Matru Pasi, Sl. No. (6) Kalka Pasi, Sl. No. (11) Abdul Rajak and Sl. No. (18) Ramu Raul were never in the employment of the colliery and therefore with respect to them the reference is invalid.

10. Regarding the remaining 14 workmen, their case is that they were working as casual Main Drivers during the period from January to September, 1975 as and when required and during this period their attendance varied between 87 to 22 days. As they were employed for a temporary period and for a temporary and casual nature of job, they were not entered in the statutory muster roll of the colliery and were paid on vouchers on a piece rate basis. Their employment ceased with effect from 20-9-75 as Main Driving operation became no longer necessary in the colliery from that date.

11. It is further said that the workmen were aware of the casual nature of their job and had never raised any claim for being permanent and have not acquired any right to get permanent job under the Bharat Coking Coal Limited (B.C.C.Ltd.). Being purely on temporary job and that too casually, the management was justified in stopping them from work with effect from 20-9-75 when the operation had ceased. It is submitted that on the above grounds the workmen have no case and are entitled to no relief.

12. In support of their case the workmen have examined 2 witnesses, MW-1 Sri S. D. Mishra, Labour Enforcement Officer and WW-2 Md. Ahmed one of the concerned workmen. They have brought on record a petition dated 1-11-75 signed by 15 out of the 18 workmen addressed to the General Manager, a copy of which was sent to the Labour Office and is Ext. W-1. Minutes of the discussion recorded by WW-1 has been marked as Ext. W-2 and representation dated 6-10-75 from the Secretary Bihar Colliery Kamgar Union to A.L.C. (C) is Ext. W-3.

13. On behalf of the management MW-1, Head Clerk of the Tetulia Colliery, has been examined and 20 vouchers as well as Form 'B' register have been produced and marked as Exts. M-1 to M-1/19 and M-2 respectively.

14. No evidence has been brought on record to substantiate the contention that the workmen have been victimized on account of their association with the Bihar Colliery Kamgar Union. Except the averment in the written statement, no material is there for a conclusion to that effect. Therefore, in my opinion that point cannot be accepted.

15. As regards the contention of the management the Sl. Nos. 5, 6, 11 & 18 had never worked in the colliery, no written material has been brought before me on behalf of the workmen to controvert it. WW-2 has, however, stated that all the 18 workmen were working in the Tetulia Colliery and this point is supported by MW-1, the Head Clerk who says that the 18 concerned workmen were working in the Tetulia Colliery. In view of the evidence of WW-2 and MW-1 there can be no other conclusion except that the 4 above mentioned workmen were working in the Tetulia colliery and the reference on that score cannot be said to be bad.

16. During the course of evidence attempt has been made to say that they were working under Contractor, but that fact does not find place in the written statement and there is one very important circumstance which we got from the evidence of MW-1 which goes to show that they were working directly under the management and had nothing to do with any contractor. MW-1 has stated that they were being paid directly by the company, but on vouchers. He says that he does not know the name of the contractor and at the close of the cross-examination he has stated that he cannot say if these workmen were employed by the contractor or working directly under the company, WW-2 admits that they were being paid on vouchers but has denied that they ever worked under a contractor. He has stated that all of them were working in Tetulia colliery as miners. Somehow or other in the vouchers Jamaluddin Mian, Contractor has been mentioned, but no value can be attached to it in view of the absence of this point from the written statement and the ad-

mission of MW-2 and the statement of WW-2. Therefore, for the purposes of this reference this point is established that the 18 concerned workmen were not working under any contractor, rather, they were directly employed by the management notwithstanding the terms and conditions of their service.

17. Let us now take up whether any dispute was raised with the management before the matter was brought to the notice of the R.L.C. and the conciliation proceeding was started. There is one very important document on record and there is also evidence of WW-1 which establish beyond doubt that no dispute was raised before the management and this fact has been asserted in the written statement. WW-1 has referred to the letter dated 1-11-75, Ext. W-1, a copy of which was given to him by the 15 concerned workmen and has stated that on receipt of the same he discussed the matter with the Manager on 8-11-75 who agreed that bonus and due wages would be paid to those 15 workmen within 10 days. He prepared the note sheet Ext. W-2. He says further that on enquiry he learnt that they had been paid bonus amount and he advised them verbally to approach the A.L.C. for their employment. At the close of the cross-examination he speaks about the payment of bonus and has stated that there was no other complaint by those workmen before him. The note sheet also indicates that discussion was only with regard to bonus and other dues and not regarding their employment.

18. But it is not denied that Ext. W-1 dated 1-11-75 was not received by the General Manager and the last paragraph of the letter shows that the General Manager was requested to intervene so that the 15 workmen were allowed to work as normal.

19. The failure report mentions about the letter dated 6-10-75 addressed by the Bihar Colliery Kamgar Union to the R.L.C. and that letter is Ext. W-3. It means that the matter was raised before the A.L.C.(C) much earlier and then on 1-11-75 a letter Ext. W-1 was sent to the General Manager.

20. Therefore, as the position stands it is absolutely clear that no demand was made on the management by these workmen till the matter was raised before the A.L.C.(C) and that contention of the management is absolutely correct.

21. A similar question cropped up before their Lordships of the Supreme Court in the case of Sindhu Re-settlement Corporation Ltd., and Industrial Tribunal of Gujarat and others reported in Vol. 7, S.C.L.J. 792 and they were of the opinion that "if no dispute at all was raised by the employees concerned with the management, any requests sent by them to the Government would only be a demand by them and not an industrial dispute between them and their employer. An Industrial Dispute, as defined, must be a dispute between employers and employees, employers and workmen and workmen and workmen. A mere demand to a Government without a dispute being raised by the workmen with their employer, cannot become an industrial dispute". What happened in that case was that in their demand to the management the employees concerned had confined to retrenchment compensation only and did not make any demand for reinstatement. Their Lordships said that the only reference that the Govt. could have made had to be related to payment of retrenchment compensation which was the only subject matter of dispute between the management and the employees concerned.

22. In the instant case what we find is that no industrial dispute as such was raised before the employer by these concerned workmen and therefore any dispute that they had raised before the A.L.C.(C) could not justify a reference by the Government. In that view of the matter this reference is incompetent.

23. Let us now take up the question as to what was the nature of job of these workmen. They have claimed that they were working as miners. The management on the other hand contends that they were working as Main Drivers. If they were working as miners (Coal Cutters) undoubtedly they were engaged on a job which was of a permanent nature and they could not have been stopped from work. But if they were working as Main Drivers they cannot claim to be permanent and if their work was stopped with effect from 20-9-75, it cannot be said that the action of the management was unjustified.

24. MW-1 has stated that they were working as Main Drivers and on behalf of the management documents have been brought on record to show that they were not permanent employees. They do not find a mention in the Form 'B' registers and the 20 vouchers Exts. M-1 to M-1/19 show that some of them were paid on vouchers. From the vouchers it appears that Sl. No. (1) Dukh Ram Pasi, Sl. No. (4) Ramdulare Pasi, Sl. No. (8) Mohammed Kayum, Sl. No. (9) Mohammed Affar, Sl. No. (10) Mohammed Ahammed, Sl. No. (12) Ainul Ali and Sl. No. (16) Abne Hassan were paid their wages on their basis. WW-2 has, however, admitted that all the 18 workmen were being paid on vouchers although he has said that the other 40 coal cutters were also paid similarly. Subsequently, on being shown the vouchers he said that they were not paid on their basis. To me it appears that subsequent denial is of no avail in view of the categorical statement referred to earlier. It is thus established that they were being paid on vouchers. Even if they were not the permanent employees of the colliery there was absolutely no justification for not mentioning their name in Form 'B' registers. But the position is that they have been paid on vouchers and not on pay sheets. The management has made this differentiation on account of the fact that it has always treated them as casuals.

25. Then there is the extract from the attendance registers and lamp issue registers which shows that in January '75, February '75 they worked only on some of the dates and the same position continued from May '75 till August '75. This has been prepared on the basis of the attendance registers and lamp issue registers and MW-1 has said that it has been prepared under his supervision and the originals have also been produced here. According to this extract from January to August '75, they were not employed at all, in March and April and on several days of those months the total period of their employment has been given in the extract itself. This clearly indicates that they were not employed as miners, rather, were engaged in a casual nature of work and employment was given only when it was available.

26. Under Section 25(c) of the Industrial Disputes Act, 1947, there is a mention about casual labour as well as badli labour with respect to the right of workman to laid off compensation. So far as the badli workman is concerned he has been defined in the explanation, but nowhere in this section a casual workman has been defined. A badli workman shall cease to be regarded as such for the purposes of this section if he has completed one year of continuous service in the establishment, but there is nothing like this so far as casual workman is concerned. It obviously indicates that the Industrial Disputes Act itself makes a difference between a permanent workman, a badli workman and a casual workman.

27. On the basis of the materials on record, to me it appears that in fact these 18 concerned workmen were not working as miners, rather, they were employed on some casual nature of work and job was provided to them only when available. That was the reason why they had never made any demand on the management before 1-11-75 to provide them with job although their work was stopped on 20-9-75. Not only that, even while they were in employment nothing was done by them to give them a permanent nature of job.

28. Therefore, on the materials on record, I am of the opinion that these 18 concerned workmen were employed casually for some days by the management when their services were required and were paid on vouchers. Therefore, they were entirely casual and were employed on casual nature of work. Accordingly, no notice was given to them when they were stopped from work as no notice was required. In such a circumstance, I do not think the stoppage of work can be said to be unjustified.

29. From my discussions above it follows that although these 18 concerned workmen were working in the colliery under the management and were not the employees of any contractor, their nature of work was casual and their employment was also casual. It is not correct to say that they had been victimized on account of their association with the Union. As no demand was made on the employer prior to the raising of the dispute before the A.L.C.C., in the eye of law the reference is bad and on the facts I find that the concerned workmen have no case. Therefore, the action of the management of Tetulia Colliery of M/s. Bharat Coking Coal Limited, P.O. Katrasgarh Distt, Dhanbad in stopping

from work the 18 concerned workmen with effect from 20-9-75 is justified and they are entitled to no relief. The reference itself is invalid and incompetent.

This is my award.

S. R. SINHA, Presiding Officer.

[No. L-20012/13/76-DIII A]

S.O. 1932.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Govt. Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the management of South Govindpur Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad and their workmen, which was received by the Central Government on the 19th May, 1977.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (NO. 3) AT DHANBAD

Reference No. 19 of 1977

Reference No. 62 of 1975 (Old)

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES :

Employers in relation to the management of South Govindpur Colliery of Messrs Bharat Coking Coal Ltd. P. O. Sonardih, District Dhanbad.

AND

Their Workmen.

APPEARANCES :

On behalf of the Employers : Shri S. S. Mukherjee, Advocate.

On behalf of the Workmen : Shri J. D. Lall, Advocate.

STATE : Bihar

INDUSTRY : Coal.

Dhanbad, the 9th May, 1977.

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/29/75-D.II(A), dated the 12th June, 1975 referred to the Central Government Industrial Tribunal No. 2, Dhanbad which was subsequently transferred to this Tribunal by the Government of India by their Order No. S-11025(1)/77(1)-D.IV(B) dated the 22nd February, 1977. It relates to Shri Ajnath Gope, Timber Mistry and the question in issue is his transfer from 3rd February, 1975 from South Govindpur Colliery to Alashkini Colliery. Schedule of reference is as follows :—

SCHEDULE

"Whether the action of the management of South Govindpur Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad, in transferring Shri Ajnath Gope, Timber Mistry, from 3rd February, 1975 is justified? If not to what relief is the said workman entitled ?

2. Written statement has been filed on behalf of the workmen stating therein that he was working in the South Govindpur colliery as Timber Mistry since 1967 and as he was Branch Secretary of Colliery Mazdoor Sabha of India and looking into the complaints and grievances of the workmen particularly with respect to forcible collection of money by the money lender, he was transferred from South Govindpur Colliery in spite of his representation to the Sub-Area Manager. According to him this is highly illegal and being a protected workman he could not have been transferred.

3. Written statement has been filed on behalf of the management and their case is that the reference is bad in law

inasmuch as the industrial disputes ceased to exist on the date of reference as the concerned workman joined his duties at Akashkinary Colliery with effect from 16th April, 1975.

4. Speaking about the transfer it is said that there were eleven Timber Mistries in the South Govindpur Colliery and the services of all the workmen were not required. Accordingly in the same Sub-Area he was transferred to Akashkinary Colliery as the services of a Timber Mistry was urgently required there. This was done in accordance with the provisions of Standing Orders.

5. It is further said that he was directed to join on 3rd February, 1975 which he did not do and remained absent all along till he joined his duty at Akashkinary Colliery on the 16th April, 1975. This transfer was managerial function and not the subject matter of an industrial dispute.

6. One witness MW-1 has been examined on behalf of the management and he has stated that the concerned workman was transferred to Akashkinary Colliery where he joined on 16th April, 1975.

7. From the record it appears that the date of reference is 12th June, 1975. The workman having joined on 16th April, 1975 there was no subsisting dispute on the date of reference. Therefore, the reference is incompetent.

This is my award.

S. R. SINHA, Presiding Officer
[No. L-20012/29/75-D.III(A)]

S.O. 1933.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the Management of Bhowra North and Bhowra South of M/s. Bharat Coking Coal Ltd. P.O. Bhowra Dist. Dhanbad and their workmen, which was received by the Central Government on the 17th May, 1977.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (No. 3), DHANBAD

Reference No. 16 of 1976

PARTIES :

Employers in relation to the management of Bhowra North and Bhowra South of M/s. B.C.C. Ltd., P.O. Bhowra (Dhanbad)

AND

Their Workmen

APPERANCES :

On behalf of the Employers—Shri B. Joshi, Advocate.

On behalf of the Workmen—None.

STATE : Bihar

INDUSTRY : Coal.

Dated, Dhanbad, the 9th May, 1977.

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour, by Order No. L-20012/90/75/D.IIIA, dated the 23rd February, 1976. The schedule of reference is as follows :

SCHEDULE

"Whether the action of the management of B.C.C. Ltd., in relation to Bhowra (North) Colliery and Bhowra (South) Colliery, P.O. Bhowra, District Dhanbad is justified in not placing the Underground Munshis in Clerical Grade II as recommended by the Central Wage Board for Coal Mining Industry? If not, to what relief are these workmen entitled and from which date?"

2. The dispute is with respect to the grading of Underground Munshis of Bhowra (North) Colliery and Bhowra (South) Colliery under the management of B.C.C. Ltd., Grievance seems to be that while according to the recommendation of the Central Wage Board for Coal Mining Industry they should be placed in Clerical Grade II, wrongly they have been placed by the management in Clerical Grade III.

3. Written statement has been filed on behalf of the management contending inter alia that the present reference is incompetent and bad in law, it is hit by the doctrine of laches, that no industrial dispute was directly raised with the management and that the present dispute is purely of a speculative nature.

4. It is further said that the Coal Wage Board for Coal Mining Industry has placed the Munshis in Clerical Grade III and this was implemented by the earstwhile employers. No dispute was raised at that time. The B.C.C. Ltd., has placed all the Munshis in Clerical Grade III and this is fully justified and the workmen are entitled to no relief.

5. There is a rejoinder on behalf of the workmen in which it has been said that in other collieries Munshis have been placed in Grade II which was as per recommendations of the Wage Board and the Bharat Coking Coal Ltd., had no justification in placing the Munshis in Grade III. It is said that they are required not only to do the lowest type of Clerical work, rather, the work load is extraordinarily heavy and consequently there is absolutely no justification in placing them in Grade III.

6. None has appeared on behalf of the workmen. Shri B. Joshi representing management has referred to the Central Wage Board for Coal Mining Industry at page 54 Volume I of the report and has submitted that Pit Munshi/Sircor/Traffic Munshi have all been placed in Clerical Grade III and therefore, grievance of the workmen is unjustified and the Bharat Coking Coal Ltd., was perfectly justified in placing them in Grade III.

7. On reference to the above I find that the contention is true and correct. Therefore, the action of the management in placing the Underground Munshis in Clerical Grade III is justified and they could not have been placed in Clerical Grade II as that would have been against the recommendation of the Central Wage Board for Coal Mining Industry. The workmen are entitled to no relief.

This is my award.

S. R. SINHA, Presiding Officer
[No. L-20012/90/75-D.IIIA]

S.O. 1934.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3 Dhanbad, in the industrial dispute between the employers in relation to the Management of North Tisra Colliery of M/s. Bharat Coking Coal Limited, P.O. Jharia, Distt. Dhanbad and their workmen, which was received by the Central Government on the 19th May, 1977.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 11 of 1976

PARTIES :

Employers in relation to the management of North Tisra Colliery of M/s. Bharat Coking Coal Ltd., P.O. Jharia, Distt. Dhanbad.

AND

Their workmen represented by Koyala Ispat Mazdoor Panchayat, P.O. Jharia, Dt. Dhanbad.

APPEARANCES :

For Employers—Sri S. S. Mukherjee, Advocate.

For Workmen—Sri B. Lal, Advocate.

INDUSTRY : Coal.

STATE : Bihar

Dhanbad, the 12th May, 1977

AWARD

This is a reference U/s 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in the Ministry of Labour by Order No. L-20012/168/75-D. IIIA dated 22-1-76 with respect to 8 Wagon Loaders who have been stopped from work by the management of the North Tisra Colliery of M/s. Bharat Coking Coal Limited with effect from 3-5-1975. Schedule of reference is as follows:—

SCHEDULE

"Whether the action of the management of North Tisra Colliery of M/s. Bharat Coking Coal Ltd., P.O. Jharia, Dist. Dhanbad in stopping from work the following Wagon Loaders with effect from 3-5-1975 is justified ?

1. Shri Yogindra Bhuria
2. Shri Basdeo Bhuria
3. Shri Mahabir Bhuria
4. Shri Hardayal Bhuria
5. Shri Munda Bhuria
6. Shri Lachwa Mallah
7. Shri Sheonandan Mallah
8. Shri Sonia Bhuria

If not to what relief they are entitled ?

2. It appears that demand was made on the management and when no settlement could be possible the A.I.C. (C) was requested to intervene and in this industrial dispute he took necessary steps for conciliation. When he failed he submitted a failure report on 21-8-75 to the Secretary to the Government of India, Ministry of Labour when the present reference was made.

3. On behalf of the workmen it is said that they have been regularly working in the colliery as Wagon Loaders which is a job of continuous nature and the contention of the management that they were unlisted casual wagon loaders is absolutely untenable. Suddenly on 3-5-75 without any justification and without prior information or notice they were stopped from work and in spite of repeated representations nothing was done to rectify the mistake.

4. It is further said that they were not given any appointment letter specifying that they were temporary or casual wagon loaders and they were not said so even verbally. There is no provision for employment of casual wagon loaders under the Certified Standing Order of the colliery. Having worked continuously for several years they have become permanent and are entitled to enjoy all the privileges of a permanent workman.

5. It is said that the action of the management is absolutely illegal and unjustified and they are entitled to the relief claimed.

6. On behalf of the management written statement has been filed contending inter alia that these concerned workmen were casual and used to work from time to time as and when required. They were engaged for wagon loading job from amongst the floating labour available in the neighbourhood, purely on a temporary casual basis and were employed from time to time according to the management's requirements. Because of purely temporary casual nature of their appointment they were not entitled in the approved man-power list of the colliery. As there was no suitable job available for them the management became unable to provide them with job with effect from 3-5-1975.

7. It is further said that their attendance during the years 1973 and 1974 would amply indicate their casual nature of employment and having worked for a few years in a casual capacity they have not acquired any right for continuous permanent appointment. The management was not required to give any notice to terminate their services and in not providing them with work, it had not taken recourse to any unfair labour practice. It is submitted that the claim of the

workmen is unduly unjustified and the action of the management is perfectly within its rights.

8. In support of their case the workmen have examined 3 witnesses of whom WW-1 is Sri Sheonandan Mallah, is a concerned workmen WW-2 is Sri Ambika Singh who is a Loading Chaprasi in the North Tisra Colliery and WW-3 is Sri H. N. Singh, Vice-President of the Koyala Ispat Mazdoor Panchayat at Jharia.

9. The management has examined Sri S. K. Gupta, former Manager of the North Tisra Colliery as MW-1 and Sri B. P. Yadav, Senior Personnel Officer as MW-2. They have filed a list of casual workers Ext. M-1, identity card register of casual worker, Ext. M-2, bonus registers for the years 1973 to 1975 Exts. M-3 to M-3/3, wage sheets in 8 bunches Ext. M-4 to M-4/7, attendance of the non-listed casual workers for 1973, 1974 & 1975 prepared on the basis of wage sheets and bonus registers Ext. M-5, Form 'B' register Ext. M-6 and office copy of a letter dated 14-2-74, Ext. M-7.

10. There are certain admitted facts in the case. In the North Tisra colliery there are 11 permanent wagon loaders and 211 casual wagon loaders. The 8 concerned workmen are not in those 211. There is identity card register of 211 listed casual loaders and each one of them has been photographed. The 8 concerned workmen have not been photographed and there is no identity card register for them. The average placement of wagons per day is between 10 to 15.

11. Ext. M-1 is the list of casual wagon loaders and we get from the evidence of witnesses examined on behalf of the workmen that when the placement of wagon is not sufficient the casual wagon loaders including the concerned workmen are employed in stacking coal, loading slack on trucks and are also engaged in manufacture of soft cok. It is not said that these jobs have ceased to exist and there is also no explanation why the 8 concerned workmen were not photographed and were not included in the identity card register. If the management had maintained a man-power list of 211 casual wagon loaders there can be absolutely no justification for not including 8 more in that list. There is nothing in the Model Standing Orders and there is no rule or regulation by which the company has authority to maintain approved and un-approved list of casuals. MW-1 has stated that there is a circular that there should be an approved list of casual wagon loaders, but that has not been lied here. Apparently, therefore, the classification done by the management is arbitrary. Ext. M-5 is extract of attendance for the years 1973, 1974 and 1975 as per bonus registers and it shows that the attendance of these 8 concerned workmen varied between 109 days and 57 days in 1973, between 162 days and 110 days in 1974 and between 75 days and 39 days in 1975 when they were stopped from work. From the wage sheets extracts have been prepared and the wage sheets in 8 bunches are also on record. I have already mentioned about the bonus registers which are Exts. M-3 to M-3/3. They show the payments made to some of the workmen in different weeks of 1974. Then there is Ext. M-7 letter dated 14-2-74 by the Sub-Area Manager to the Manager, North Tisra Colliery. It is said that a copy of this letter was sent to the Union which has been denied by WW-3 Vice-President. In this letter out of the 8 concerned workmen 5 have been mentioned amongst the 14 non-listed casual wagon loaders and it is said that they would be engaged in wagon loading only when extra wagons are placed. This decision was arrived at in the Joint Consultation Committee meeting held on 16-1-74 with the workmen's representative Sri H. N. Singh and Sri R. S. Singh and the management. In this letter it has nowhere been said that the so called non-listed casual labours would be stopped from work when extra wagons will not be placed at the siding. To me it appears that the spirit of the decision was that when extra wagons would be placed those non-listed casual loaders will be employed in wagon loading and when sufficient number of wagons would not be available they would be employed in other jobs which I have mentioned above.

12. From the documents that I have referred to above it is clear that these concerned workmen were not employed regularly but their attendance was sufficient in each year and if the work of wagon loading and other connected jobs given above have not ceased to exist, there can be absolutely no justification not to maintain them as before and to provide them job as and when available.

13. From the terms of reference it is clear that there is a stoppage of work which means that the relationship of employer and employee still subsists and in that view of the matter if the jobs on which they can be employed are still available, it would be certainly too much to allow the management to stop them from work for ever.

14. MW-1 has stated about the permanent wagon loaders, listed wagon loaders and un-listed wagon loaders. He has also stated about the daily average placement of wagons and has proved the documents that I have already referred to above. He has been cross-examined on the point as to why these concerned workmen have not been recorded in Form 'B' register and it has been suggested to him that it was done only with a view to deny them the privileges and benefits available to other workmen in the colliery. MW-2 has proved Ext. M-7.

15. The witnesses on behalf of the workmen have supported their case. WW-1 is one of the affected workmen. He says that their duty was to load wagons and if the number was insufficient they were employed in the stacking of coal for converting it into soft coke. He admits that there are 211 wagon loaders in the North Tisra Colliery and 11 permanent wagon loaders. He says further that the placement of wagons used to vary between 5 to 25 each day. MW-1 has stated that these concerned workmen have been getting bonus and WW-1 says that they are members of Provident Fund Scheme. He admits that they were not photographed and identity card was not given to them. Coming to WW-2 I find that according to him the concerned workmen used to work daily either on loading wagons or loading trucks, stacking coal and manufacturing soft coke. He is a Loading Chapiasi of the colliery. He says that these concerned workmen were not photographed on the ground that they were non-listed. WW-3 is S i H. N. Singh and he says that copy of Ext. M-1 has not been forwarded to him.

16. So far as oral evidence goes it does not establish that these concerned workmen have been rightly kept in the category of un-listed casuals according to any rules or regulations or anything in the Model Standing Orders. What they have said is that when placement of wagon was insufficient they used to be employed on other jobs.

17. From my discussions of the oral and documentary evidence it is established that the management has arbitrarily prepared lists of approved casuals and un-approved casuals for which there is no possible justification. Similarly, if the jobs on which these workmen were employed are still available there can be no justification to stop them from work.

18. Learned Advocate appearing on behalf of the management has referred to a case reported in 1975 Lab. L.C. 1006 The Management of Ciompson Engineering Co. (Madras) Pvt. Ltd., Petitioner Vs. The Presiding Officer, and others, Respondents for the proposition that the employment of temporary or casual labourer automatically ends on expiry of the period for which they are employed or on completion of a specific work and there is no termination and question of reinstatement does not arise. The facts which are before us are very much different and the principle decided in the above case has no application. Here there is nothing on record to show that these concerned workmen were employed for a particular period and for a specific job. On the contrary they have been getting employment on jobs which are still available and they were appointed like other workmen and arbitrarily they were kept in the list of unapproved casuals, although there was no such stipulation at the time of their appointment.

19. As the position stands question of reinstatement does not arise in as much as they have been stopped from work and their services have not been terminated. The management has however to provide them with work as specified above as and when available and they cannot be heard to say that those jobs are not available and that they cannot be employed. As I have already said if 211 casuals can be employed, there can be no justification for not employing these 8 concerned workmen.

20. In my opinion, the action of the management of the North Tisra Colliery of M/s. Bharat Coking Coal Ltd., P.O. Jharia, Distt. Dhanbad in stopping from work the 8 wagon loaders mentioned in the schedule with effect from 3-5-75 is

not justified. As I have said above, they have to be provided with work as and when available as before and they cannot be made to sit idle permanently.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-20012/168/75-D H.A.]

J. K. JAIN, Desk Officer

नई दिल्ली, 26 मई, 1977

का० आ० 1933.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रक्रीण उपबन्ध व्याधिनियम, 1952 (1952 का 19) की धारा 5 की उपधारा (1) के खण्ड (ख) और (ग) द्वारा प्रदत्त गतिधोर्ण का प्रयोग करते हुए (1) उपसचिव एवं आनंदिक वित्तीय सलाहकार, श्रम मंत्रालय, (2) अवर सचिव, भारत सरकार औद्योगिक विकास विभाग (3) विशेष मंत्रिव, निमिलनाडु सरकार अम् एव रोजगार विभाग (4) मंत्रिव, त्रिपुरा सरकार, श्रम विभाग (5) मंत्रिव, उडीसा सरकार, श्रम रोजगार एवं आवास विभाग (6) मंत्रिव मेघालय सरकार श्रम विभाग (7) अमायुक्त और मंत्रिव (श्रम) दिल्ली प्रशासन और (8) मंत्रिव, हिमाचल प्रदेश सरकार श्रम विभाग के स्थान पर कमशः (1) श्री एन० राजन, सलाहकार (विन) भारत सरकार, लोक उद्यम ब्यूरो, नई दिल्ली, (2) श्री य० एम० आचार्य, निदेशक, भारत सरकार, औद्योगिक विकास विभाग, नई दिल्ली (3) मंत्रिव, निमिलनाडु सरकार, श्रम और रोजगार विभाग, मद्रास, (4) अमायुक्त, गजस्थान सरकार, जयपुर, (5) मंत्रिव, पंजाब सरकार, श्रम और रोजगार विभाग, चण्डीगढ़ (6) आयुक्त एवं मंत्रिव, हरियाणा सरकार, श्रम और रोजगार विभाग, चण्डीगढ़, (7) सचिव, उद्योग और श्रम गोवा दमण और दीव सरकार, पणजी और (8) मंत्रिव, श्रम विभाग, आमाम सरकार, दीमपुर को केन्द्रीय न्यासी बोर्ड का सदस्य नियुक्त करती है और भारत के राजपत्र, भाग 2, खण्ड 3(ii) तारीख 10 जनवरी, 1976 में प्रकाशित भारत सरकार के श्रम मंत्रालय की भविष्यवता में का० आ० 236 तारीख 16 दिसम्बर, 1975 में निम्न-नियमित संघोषण और करती है, प्रथात्—

उक्त अधिसूचना में कम मंथा 3, 4, 12 और 17 से 21 के सामने स्तर 2 के नीचे की प्रथिष्ठियों के स्थान पर कमश निम्नलिखित प्रविष्टियों रखी जाएगी, प्रथात्—

3 "श्री एन० राजन, भलाहकार (विन) भारत सरकार, लोक उद्यम ब्यूरो, नई दिल्ली"

4 "श्री य० एम० आचार्य, निदेशक, भारत सरकार, औद्योगिक विकास विभाग, नई दिल्ली"

12 "मंत्रिव, निमिलनाडु सरकार, श्रम और रोजगार विभाग, मद्रास"

17 "अमायुक्त, राजस्थान सरकार, जयपुर"

18 "मंत्रिव, पंजाब सरकार, श्रम और रोजगार विभाग, चण्डीगढ़"

19 "आयुक्त एवं मंत्रिव, हरियाणा सरकार, श्रम और रोजगार विभाग, चण्डीगढ़"

20 "मंत्रिव, उद्योग और श्रम गोवा दमण और दीव सरकार, पणजी"

21 "मंत्रिव, श्रम विभाग, आमाम सरकार, दीमपुर"

[मं० वी-20012(1)/75 पी० एफ-2]

New Delhi, the 26th May, 1977

S.O. 1935.—In exercise of the powers conferred by clauses (b) and (c) of sub-section (1) of section 5A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoint, (1) Shri N. Rajan, Adviser (Finance), Government of India, Bureau of Public Enterprises, New Delhi, (2) Shri U. S. Acharya, Director, Government of India, Department of Industrial Development, New Delhi, (3) the Secretary, Government of Tamil Nadu, Labour and Employment Department, Madras, (4) the Labour Commissioner, Government of Rajasthan, Jaipur, (5) the Secretary to the Government of Punjab, Labour and Employment Department, Chandigarh, (6) the Commissioner and Secretary, Government of Haryana, Labour and Employment Department, Chandigarh, (7) the Secretary, Industries and Labour, Government of Goa, Daman and Diu, Panaji and (8) the Secretary, Labour Department, Government of Assam, Dispur, as members of the Central Board of Trustees, vice (1) the Deputy Secretary, and Internal Financial Adviser, Ministry of Labour, (2) the Under Secretary to the Government of India, Department of Industrial Development, (3) the Special Secretary to the Government of Tamil Nadu Labour and Employment Department, (4) the Secretary to the Government of Tripura, Labour Department, (5) the Secretary to the Government of Orissa, Labour, Employment and Housing Department, (6) the Secretary to the Government of Meghalaya, Labour Department, (7) Commissioner of Labour and Secretary (Labour) Delhi Administration and (8) the Secretary to the Government of Himachal Pradesh, Labour Department respectively and makes the following further amendments in the notification of the Government of India in the Ministry of Labour No. S.O. 236, dated the 16th December, 1975 published in Part II, section 3(ii) of the Gazette of India dated the 10th January, 1976, namely:—

In the said notification for the entries in column 2 against serial numbers 3, 4, 12 and 17 to 21 both inclusive, the following entries shall respectively be substituted, namely:—

- (3) "Shri N. Rajan, Adviser (Finance), Government of India, Bureau of Public Enterprises New Delhi";
- (4) "Shri U. S. Acharya Director, Government of India, Department of Industrial Development, New Delhi";
- (12) "The Secretary, Government of Tamil Nadu, Labour and Employment Department, Madras";
- (17) "The Labour Commissioner, Government of Rajasthan, Jaipur";
- (18) "The Secretary to the Government of Punjab, Labour and Employment Department, Chandigarh";
- (19) "The Commissioner and Secretary Government of Haryana, Labour and Employment Department, Chandigarh";
- (20) "The Secretary, Industries and Labour Government of Goa, Daman and Diu, Panaji"; and
- (21) "The Secretary, Labour Department, Government of Assam, Dispur";

[No. V-20012(1)/75-PF-II]

नई विल्सी, 27 मई, 1977

का० आ० 1936—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बामोदर रोपवेज एण्ड कम्पनी (प्राइवेट) लिमिटेड, 11, बन्हीटार्ट रोड, कलकत्ता 1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) धारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिकूलना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० ए० 35017(17)/76-पी० एक०-2(i)]

New Delhi, the 27th May, 1977

S.O. 1936.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Damodar Klopeways and Construction Company (Pvt) Limited, 1A, Vansittart Row, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35017(17)/76-PF-II(i)]

का० आ० 1937.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आञ्चलिक जात्यकाने के पश्चात् 1 मार्च, 1975 से मैसर्स मुकुन्दगढ़ इन्वेस्टमेंट कम्पनी लिमिटेड, 9 ब्रॉन्ट रोड, कलकत्ता 1, नामक स्थापन को उक्त परन्तुक के प्रयोगन के लिए विनियित करती है।

[सं० ए० 35017(23)/77-पी० एक०-2(ii)]

S.O. 1937.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter hereby specifies with effect from the first day of March, 1975, the establishment known as Messrs. Mukundgarh Investment Company Limited, 9, Brabourne Road, Calcutta-1, for the purposes of the said proviso.

[No. S. 3501(23)/77-PF-II(ii)]

का० आ० 1938.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मुधा पिक्चर्स "भावना" पहली मंजिल, 422, सावरकर रोड, मुम्बई-25, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) धारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिकूलना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० ए० 35018(22)/77-पी० एक० 2(i)]

S.O. 1938.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sudha Pictures, 'Bhavana', 1st Floor, 422, Savular Road, Bombay-25, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35018(22)/77-PF-II(i)]

का० आ० 1939.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रवत्त परन्तुक द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जात करते के पश्चात् 1 अप्रैल, 1976 से मैसर्स सुधा पिक्चर्स 'भावना' पहली मंजिल 422, भावरकर रोड, मुम्बई-25, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनियोजित करती है।

[सं० एस०-35018(22)/77-पी० एफ०-2(ii)]

S.O. 1939.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of April, 1976, the establishment known as Messrs. Sudha Pictures, 'Bhavana' 1st Floor, 422, Savarkar Road, Bombay-25, for the purposes of the said proviso.

[No. S. 35018/22/77-PF. II(ii)]

का० आ० 1940.—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुधागाद इंजीनियरिंग इण्डस्ट्रीज, पादघोली, पोस्ट पराती, तालुक सुधागाद, जिला कोलाबा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(33)/77-पी० एफ० 2]

S.O. 1940.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sudhagad Engineering Industries, At Padgholi, Post Parali, Taluka Sudhagad, District Kolaba, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1975.

[No. S. 35018/33/77-PF. II]

का० आ० 1941.—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रकाश, 19, बालकण्ठ मदन, गोखले रोड, वादर, मुम्बई-28 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 फरवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(34)/77-पी० एफ० 2]

S.O. 1941.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Prakash, 19, Balkrishna Sadan, Gokhale Road, Dadar, Bombay-28, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1976.

[No. S. 35018/34/77-PF. II]

का० आ० 1942.—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री श्रीनिवास सौ मिल्स एण्ड वुड वर्क्स, काटन पेट, बंगलौर-53 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 30 नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(5)/77-पी० एफ० 2]

S.O. 1942.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Srinavasa, Saw Mills and Wood Works, Cotton Pet, Bangalore-53, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(5)/77-PF. II]

का० आ० 1943.—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स चेरन इंजीनियरिंग कारपोरेशन लिमिटेड, 4-A, गुडस रोड, पेलाची नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(65)/77-पी० एफ०-2(i)]

S.O. 1943.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Chera Engineering Corporation Limited, 4-A, Goods Shed Road, Pollachi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1976.

[No. S. 35019/65/77-PF. II(i)]

का० आ० 1944—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि कालीकट केमिकल इन्डस्ट्रीज, 220/1A, काटन मिल्स रोड, कालीकट-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूल हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

यतः अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 31 मई, 1977 को प्रवृत्त हुई समझी जायेगी।

[सं. एस० 35019(90)/77-पी० एफ० 2]

S.O. 1944.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs the Calicut Chemical Industries, 220/1A, Cotton Mills Road, Calicut-3, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall come into force on the thirty first day of May, 1977.

[No. S. 35019/90/77-PF. II]

का० आ० 1945.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लीला वाइंडिंग वर्क्स, उधना मेन रोड, राशिवाला एस्टेट, उधना, सूरत नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूल हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

यतः अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 30 नवम्बर, 1976 को प्रवृत्त हुई समझी जायेगी।

[मं. एम-35019(97)/77-पी० एफ० 2]

S.O. 1945.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lila Winding Works, Udhana, Main Road, Rashiwala Estate, Udhana, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(97)/77-PF. II]

का० आ० 1946.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ज्योति फाउंड्री, 140, विठल उद्योगनगर, वल्लभ विद्यानगर, तालुक आनन्द, जिला कैरा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

यतः प्रब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 31 दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं. एस० 35019(149)/77-पी० एफ० 2]

S.O. 1946.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jyoti Foundry, 140, Vithal Udyognagar, Vallabh Vidhyanagar, Taluk Anand, District Kaira, have agreed that the provision of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1976.

[No. S. 35019/149/77-PF. II]

का० आ० 1947.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लक्ष्मी फाउंड्री 131, गुजरात व्यापारी महामण्डल प्रोध्योगिक वसाहत, ओढ़व रोड, अहमदाबाद-21 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

यतः अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 31 दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35019(161)/77-पी० एफ० 2]

S.O. 1947.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Laxmi Foundry, 131, Gujarat Vepari Mahamandal Audhyogic Vasahat, Odhav Road, Ahmedabad-21, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/161/77-PF. II]

का० आ० 1948.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रपोलो ईश्टाइल्स प्लाट सं. 52, जो आई बी सी एस्टेट, ओढ़व रोड, प्रमहदाबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और

प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकलीम विम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं.एम-35019(163)/77-पी.एफ-2]

S.O. 1948.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Apollo Textiles, Plot No. 52, G.I.D.C. Estate, Odhav Road, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/163/77-PF. II]

का० आ० 1949.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गोविंदलाल प्रचरत लाल, शेयर बाजार हाल के निकट, मानेक चौक प्रहमदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंघता इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकलीम विम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं.एम-35019(165)/77-पी.एफ-2]

S.O. 1949.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Govindlal Acharatlal, near Share Bazar Hall, Manek Chowk, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/165/77-PF. II]

का० आ० 1950.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रंगून कैमिकल्स वर्क्स, 5/198, बालीपार रोड, रोडर, भूग्न, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंघता इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकलीम विम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं.एम-35019(179)/77-पी.एफ-2]

S.O. 1950.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rangoon Chemicals Works, 5/198, Balapir Road, Rander, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/179/77-PF. II]

का० आ० 1951—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नरनलाल कनसारा पट्टा, शेरी, नवमारी, जिला बलसर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंघता इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकलीम विम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं.एम-35019(188)/77-पी.एफ-2]

S.O. 1951.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Naranlal Kansara, Patwa Sheri, Navasari, District Bulsar, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/188/77-PF. II]

का० आ० 1952—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गैस अप्लाइसेज कम्पनी, डिल्ली गेट, स्टेशन रोड, सूरत नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंघता इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकलीम विम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं.एम-35019(189)/77-पी.एफ-2]

S.O. 1952.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gas Appliances Company, Delhi Gate, Station Road, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/189/77-PF.II]

का० आ० 1953.—यतः केन्द्रीय सरकार को यह प्रतीत हाता है कि मैमर्स अमृतलाल नगिनदास, रोड सं. बी-1, प्लाट सं. 24/23, उधना उद्योगनगर, उधना, सूरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि प्रक्रीय उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकतीस जनवरी, 1977 का प्रवृत्त हुई समझी जाएगी।

[सं. एम-35019(197)/77-पी० एफ-2]

S.O. 1953.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Amruttal Nagindas, Road No. B-1, Plot No. 24/23 Udhna Udyognagar, Udhna, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1976.

[No. S. 35019/197/77-PF.II]

का० आ० 1954.—यतः केन्द्रीय सरकार को यह प्रतीत हाता है कि मैमर्स पन्ना टेक्स्टाइल्स, रोड सं. बी-1, प्लाट सं. 24/23, उधना उद्योगनगर, उधना, सूरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रक्रीय उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकर्णीम जनवरी, 1977 का प्रवृत्त हुई समझी जायेगी।

[सं. एम-35019(198)/77-पी० एफ-2]

S.O. 1954.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Panna Textiles, Road No. B-1, Plot No. 24/23, Udhna Udyognagar, Udhna, Surat, have agreed that the provisions

of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1977.

[No. S. 35019/198/77-PF.II]

का० आ० 1955.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स होटल न्यू अलंकार, मैत रोड, विशाखापटनम, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारों भविष्य निधि और प्रक्रीय उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर 1976 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35019 (226) 77-7/पी० एफ-2]

S.O. 1955.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hotel New Alankar, Main Road, Visakhapatnam, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1976.

[No. S. 35019/226/77-PF.II]

का० आ० 1956.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स दि गुड न्यूज ब्राउकास्टिंग सोसाइटी, 15, कम्प्यूनिटी सेस्टर, ईस्ट ग्राफ कैलाश, नई विलो-24 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रक्रीय उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1972 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35019 (227) 77-पी० एफ-2]

S.O. 1956.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Good News Broadcasting Society, 15, Community Centre, East of Kailash, New Delhi-24 have agreed that the provisions of the Employees' Provident Funds and

Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1972

[No S 35019(227)/77-PF II]

का० आ० 1957—यत केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मणिनगर कोओपरेटिव बैंक लिमिटेड, बार रास्ता, मणिनगर, अहमदाबाद-18 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहु-संघया इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अत इब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकतीस जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[स० एस-35019(228)/77-पी०एफ०-2]

S.O. 1957.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Maninagar Co-operative Bank Limited, Char Rasta, Maninagar, Ahmedabad-18, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1977.

[No S. 35019(228)/77-PF III]

का० आ० 1958—यत केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स महागुजरात मान्डरिकर कारपोरेशन, पहली मजिल, मुग्रभान ग्रोडो-गिल ब्लैक, वरियापुर गेट से बाहर बारडालपुर, अहमदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहु-संघया इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अत इब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना इकतीस दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[स० एस-35019(229)/77-पी०एफ०-2]

S.O. 1958.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mahagujarat Underwear Corporation, 1st Floor, Suprabhat Industrial Estate, Out Side Darlapur Gate, Bardoliwala, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976

[No S 35019(229)/77-PF II]

का० आ० 1959—यत केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्याम टैक्सटाइल्स, 34, 35बी जगन्नाथ हस्टेट रखियाल, अहमदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंघया इस बात पर सहमत हो गई है कि कर्मचारा भविष्य निधि और प्रकार्ण उपबन्ध प्रधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहए,

अत इब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना अष्टाव्यास फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[स० एस-35019(230)/77-पी०एफ०-2]

S.O. 1959.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shyam Textiles 34, 35-B, Jagannath Estate, Rakhal Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-eighth day of February, 1977

[No S 35019(230)/77-PF II]

का० आ० 1960—यत केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राकेश टैक्सटाइल्स, पेटेल ब्रास हस्टेट नागरवेल, हनुमान रोड, रखियाल, अहमदाबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहु-संघया इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अत इब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना अष्टाव्यास फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[स० एस-35019(231)/77-पी०एफ०-2]

S.O. 1960—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rakesh Textiles, Patel Brass Estate, Nagarwal, Hamuman Road, Rakhal, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-eighth day of February, 1977

[No S 35019(231)/77-PF II]

का० अा० 1961।—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वाणी विनास इण्डिया, महाबलीपुरम रोड, भुरापक्कम, मद्रास-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अत अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसंबर, 1975 को प्रवृत्त हुई गमकी जाएगी।

[सं० एम-35019(232)/77-पी०एफ-2]

S.O. 1961।—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vam Vilas Industries, Mahabalipuram Road, Thirupakkam, Madras-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1975.

[No. S. 35019(232)/77-PF. II]

का० अा० 1962।—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विलापूराय ग्राम सहकारिता कृषि उधार समिति स० वाई-167-डाक-घर कुन्नथूर, जिला कन्याकुमारी नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1976 को प्रवृत्त हुई गमकी जाएगी।

[सं० एम-35019(233)/77-पी०एफ-2]

S.O. 1962।—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Vilathurai Village Co-operative Agricultural Credit Society No. Y-167, Kunnathur, Post Office Kanyakumari District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1976.

[No. S. 35019(233)/77-PF.II]

का० अा० 1953।—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्रीनियास परम्परामी वर्क्स, पोस्ट बाक्स नं० 1707, 146, III मेन रोड, चंभारगजपेट, बंगलोर-18 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतिव्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अत अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकठ्ठीम जनवरी, 1977 को प्रवृत्त हुई गमकी जाएगी।

[सं० एम-35019(234)/77-पी०एफ-2]

S.O. 1963।—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Srinivasa Perfumery Works, Post Box No. 1707, 146, III Main Road, Chamarajapet, Bangalore-18, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1977.

[No. S. 35019(234)/77-PF. II]

का० अा० 1964।—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोमेट इलेक्ट्रिकल इण्डस्ट्रीज, वाल्हेवाड, नाडियाड, जिला कैडा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकठ्ठीम मई, 1975 को प्रवृत्त हुई गमकी जाएगी।

[सं० एम-35019(236)/77-पी०एफ-2]

S.O. 1964।—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Comet Electrical Industries, Vachhewad, Nadiad, District, Kaira, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of May, 1975.

[No. S. 35019(236)/77-PF.II]

का० अा० 1965।—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कानूनार्थ एण्ड मन्स, मारस, ताल्सुक आनन्द, जिला कैडा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकठ्ठीम अक्टूबर, 1974 को प्रवृत्त हुई गमकी जाएगी।

[सं० एम-35019(237)/77-पी०एफ-2]

S.O. 1965.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kanubhai and Sons, Saras, Taluk, Anand, District-Kaira, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of October, 1974.

[No. S. 35019/237, 77-PF.II]

का० आ० 1966.—यत केन्द्रीय सरकार को यह प्रतीत होना है कि मैसर्स कर्नलिक कुमार राजनी काल्न शाह, सरसा, तालुक आनन्द, जिला कैडा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लाग किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को कर्त्ता है।

यह अधिसूचना 31 अक्टूबर, 1974 का प्रवृत्त हुई समझी जाएगी।

[म० ए० ३५०१९(२३८)/७७-पी०एफ०-२]

S.O. 1966.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Anil Kumar Rajnikant Shah, Sarsa, Taluk Anad District-Kaira, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of October, 1974.

[No. S. 35019/238/77-PF.II]

का० आ० 1967.—यत केन्द्रीय सरकार को यह प्रतीत होना है कि मैसर्स फेक स्प्रे पेटिंग वर्क्स, सजिला रोड, आनन्द, जिला कैडा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लाग किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लाग करती है।

यह अधिसूचना 31 जनवरी, 1977 का प्रवृत्त हुई समझी जाएगी।

[म० ए० ३५०१९(२१९)/७७-पी०एफ०-२]

S.O. 1967.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Frank Spray Painting Works, Sojira Road, Anand, District Kaira, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952

(19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1977.

[No. S. 35019/239/77-PF.II]

का० आ० 1968.—यत केन्द्रीय सरकार को यह प्रतीत होना है कि मैसर्स कर्नलिक प्राइजेज वन्डेली (ए०३०क०)-५८/३२५ नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लाग किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लाग करती है।

यह अधिसूचना 1 नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[म० ए० ३५०१९(२११)/७७-पी०एफ०-२]

S.O. 1968.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Karnataka Enterprises, Dandeli (N.K.) 581325, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1976.

[No. S. 35019/241/77-PF.II]

का० आ० 1969.—यत केन्द्रीय सरकार को यह प्रतीत होता है कि एन०मेटिक्स, प्लॉट स० १, गवर्नेंट इण्डस्ट्रियल एस्टेट, बीजापुर-१ नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लाग किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लाग करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[म० ए० ३५०१९(२४२)/७७-पी०एफ०-२]

एस० ए० सहभागी, उप सचिव

S.O. 1969.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Technomatics, Plot No 1, Government Industrial Estate, Bijapur-J, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January 1977.

[No. S. 35019(242)/77-PF.II]

S. S. SAHASRANAMAN, Dy. Secy.

नई विल्सो, 24 मई, 1977

आदित्य

क्रा० आ० 1970।—केन्द्रीय सरकार की राय है कि इससे उपायद प्रमुखी में विनियिप्त विषय के बारे में पोनकुमार मैग्नेसाइट माइन्स के रेजिंग कंट्रैक्टर, श्री आर० वेकटाचलम, के प्रबन्धतत्र और उनके कर्मकारों के बीच एक श्रौतोंगिक विवाद विद्यमान है:

ओर केन्द्रीय सरकार उक्त विवाद का न्याय निर्णयन के लिए निर्देशित करना चाहनीय मममती है;

अतः, प्रव, श्रौतोंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक श्रौतोंगिक अधिकरण गठित करती है जिसके पीठामीन अधिकारी टी० एन० सिंगरवेलू होगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्याय निर्णयन के लिए निर्देशित करती है।

प्रमुखी

क्या पोनकुमार मैग्नेसाइट माइन्स, मैलैम के रेजिंग कंट्रैक्टर श्री आर० वेकटाचलम की श्री कृष्णन को 6-12-1976 से सेवा से पदच्युत करने की कार्रवाई न्यायोंचित है? यदि नहीं, तो वह किस अनुशोष का हक्कदार है?

[सं० एम-29012/11/77-झ० 3(बी)]

New Delhi, the 24th May, 1977

ORDER

S.O. 1970।—Whereas the Central Government is of opinion that an industrial Dispute exists between the management of Shri R. Venkatachalam, Raising Contractor of Ponkumar Magnesite Mines and their workmen in respect of the matter specified in the schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby constitutes an Industrial Tribunal of which Shri T. N. Singaravelu shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of Shri R. Venkatachalam, Raising Contractor of Ponkumar Magnesite Mines, Salem is justified in dismissing Shri Krishnan with effect from 6-12-1976? If not, what relief is he entitled to?

[No. I-29012/11/77-D-III(B)]

S.O. 1971।—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the Management

of Oil and Natural Gas Commission, Eastern Region, Nazira and their workman, which was received by the Central Government on the 11th May, 1977.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 30 of 1976

PARTIES :

Employers in relation to the management of Oil and Natural Gas Commission, Eastern Region, Nazira,

AND

Their workmen.

APPEARANCE :

On behalf of Employers.—Shri T. K. Jagadeesh, Advocate.

On behalf of Workmen.—Shri J. N. Sharma, Advocate.

STATE: Assam

INDUSTRY: Oil & Gas

AWARD

The Government of India, Ministry of Labour, vide their Order No. L-30012(2)/76-D.IV(B), dated 19th October, 1976, referred an industrial dispute existing between the employers in relation to the management of Oil and Natural Gas Commission, Eastern Region, Nazira and their workman, to this tribunal for adjudication. The Reference reads as :

"Whether the action of the General Manager of Messrs Oil and Natural Gas Commission, Eastern Region, Nazira in terminating the services of Shri Open Chandra Sharma Machine Operator, Grade II, Central Workshop with effect from 31-7-1975 was justified? If not, to what relief is the concerned workman entitled?"

2. Shri Open Chandra Sharma joined the services of Oil and Natural Gas Commission, Eastern Region, Nazira at their central workshop as a Machine Operator, Grade III, on 23rd July, 1965 on the basis of an offer of appointment dated 13/20/7-1966 followed by appointment order dated 13/19/8-1965, vide Ext. M1 and Ext. M-2, respectively. He was on probation for one year which was extended to three months. He was declared to have completed the probation period successfully on 23-10-66. Shri Sharma was later on promoted to the next higher grade as Machine Operator, Grade II with effect from 8-10-70. Ext. M-3 is the order of promotion. According to the terms

and conditions laid down in the promotion order he was to be on one year's probation. However, the period of probation was extended till 7-4-72 and he was declared to have completed the probation in the new grade successfully under the order dated 5-4-72. The management then thought it fit to terminate the services of Sri Sarma with effect from 31-7-75 on the basis of Ext M-4 order of the same date. He was however offered a sum of Rs 436 30 P on account of pay and allowance in lieu of one month's notice. He accepted the payment, but he was unemployed from that date.

3 The case of the workman is that his services had been illegally terminated without assigning any reason and that the management had no such right to terminate his service and that therefore he shall be reinstated to his post with all the back wages. The management would have it that they terminated the services of Sri Sarma as they had lost faith and confidence in him as he was involved in a theft case. It was alleged against him that he committed theft of about half kilogram of brass scrap while he was coming out of the machine shop on 5-6-1975 at about 2.30 P.M. when he was caught red-handed by the Security guard at the gate. The matter was immediately reported to MW 1, Security Officer who thereupon came to the spot and took out from his trouser pocket the aforesaid brass scrap and made out Ext M-14 seizure memorandum which was attested by three witnesses and Sarma himself had affixed his signature on it. Sri Sarma gave a statement Ext M 14(a), at the spot to MW 1 to the effect that the aforesaid scrap brass were seized from his person. Ext M-14(b) was a statement of one of the guards who detained Sri Sarma at the gate when he found he had a bulging pocket on her trouser while coming out from the machine shop. MW-1 thereafter made an enquiry at the spot and as a result of the enquiry he made out a report, Ext M 14(c) to the Superintending Engineer, Central Workshop. On the basis of that Report the Administrative Officer drew up a memorandum setting forth the ground under which the theft was detected. He placed the memorandum before the Acting Joint Manager who was examined as MW 2. MW 2 recommended the case for disposal to the General Manager, who in his turn approved the action which was recommended by the Administrative Officer in Ext M 13 memorandum that the services of Sri Sarma shall be terminated under clause (ii) of the order of appointment dated 13/20 7 65 (Ext M-1). Accordingly, the aforesaid termination order was passed, which took effect from 31-7-1975.

4 The first appointment of Sri Sarma according to the terms of the agreement contained in Ext M 1 was a temporary one. Ext M 1 provides that the appointment may be terminated at any time by one month's notice to be given by either side namely, the appointee or the appointing authority without assigning any reason. The appointing authority however reserves the right of terminating service of the appointee without notice or even before the expiration of the stipulated period of notice by making payment to him a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof. As regards the termination of service during the period of probation, clause (iii) of the same agreement may be seen. Clause (iii) reads, "He will be on probation for a period of one year from the date of appointment. This period may be extended at the discretion of the Appointing Authority, if necessary. During the period of probation, the services are liable to be terminated at any time without notice and/or assigning any reason whatsoever." The conditions set forth in Ext M 1 are also to some extent reiterated in Ext M 2 order of appointment. It states that the appointments are purely probationary and terminable on one month's notice on either side or on one month's pay in lieu thereof without assigning any reason. During the period of the service ending with Ext M 3 order, the terms and conditions set forth in Exts M 1 and M-2 were in force as between the employees and the management. The management has also relied upon Ext M 12 (Conduct, Discipline & Appeal) Regulations, 1964 of the Oil & Natural Gas Commission which came into force on 5th December, 1964. Rule 25 of the Regulation deals with disciplinary action against the employees but the Explanation of Rule 25 provides that certain punishments would not amount to penalty within the meaning of the said rule. The termination of service comes as item (viii) in the said Explanation. Item (viii) termination of service has to be read with clause (c) thereof in respect of an employee of the Commission employed under an agreement in which

case his service can be dispensed with under that clause. The management therefore relied upon item (viii) termination of service included in Explanation to Rule 25 which provides that the management is at liberty to terminate the services of a workman in accordance with the terms of agreement of employment. So, according to the management the termination of service of Sri Sarma did not come within the penalties enumerated as items (i) to (vii) of Rule 25, but it would come as a termination simpliciter under clause (viii) (c) of the Explanation under Rule 25 referred to above. We have to consider therefore whether the management was right in terminating the services of Sri Sarma on the ground that they had lost faith and confidence in him and whether the termination is a termination simpliciter.

5 The fact remains that Sri Sarma was caught in the incident which involved an attempt to commit theft of the property of the employer. The evidence is conclusive on the management's side to show that the scrap brass materials weighing about half a kilogram were a marketable commodity and that it would fetch about Rs 20 to Rs. 25 if sold in the open market. The workman Sarma had no convincing answer to offer why he signed Ext M-14 (a) wherein he had confessed his guilt. Articles were seized from his person on 5-6-75. Sri Sarma had also signed the seizure list which is Ext M-14. The report of the incident was made by MW-1 Security Officer to the Superintending Engineer. MW-1 had given evidence that when he came at the spot he saw Sri Sarma having been detained at the gate by the Security guards. His trouser pocket bulged out with some material. He made a search of his pocket and he found those materials—brass scrap which had been taken out of the workshop. There was no reason for MW-1 for giving false evidence against Sri Sarma. There was nothing brought out in cross examination as to why he had chosen to give evidence against him. As against that evidence there is only a mere denial of the incident by WW-1 Sri Sarma himself. He admitted the fact that he came out of the gate and he was subject to a search but according to him he carried some worthless material which according to him would not fetch any value, much less the management required it for any useful purpose. Any way, the fact of attempt of theft had been proved against Sri Sarma beyond any reasonable doubt.

6 The management however did not reveal in the order of termination, Ext M 4, the reason or the ground on which the termination was effected. Of course, it was not necessary for the management to disclose the grounds of termination in the order of termination. It is for the Tribunal to examine the case and the background under which the termination was effected and see whether there had been malafide on the part of the management or an attempt in victimisation of the workman or even whether there had been any unfair labour practice involved in the case. No attempt had been made by the workman on his part to prove that there had been any victimisation much less any unfair labour practice in the case. However, he made a suggestion that one of the officers wanted him to do some personal work and that he had refused to do so. I do not think there was any material on record in support of the workman's case in that regard. Mere suggestion during the cross-examination of MW 1 will not satisfy the requirement of law as to the proof of victimisation much less the unfair labour practice. It could not be said that there had been any malafide on the part of the management in terminating the services of the workman. So, it has to be held that the termination of service in the particular circumstances of the case was not hit by any of the infirmities pointed out above.

7 In a similar case a workman was discharged from service under certain provision of Standing Order. In dealing with that case in Tata Engineering and Locomotive Company, Ltd and Piasad SC and another 1969 II ILJ, 799, the Supreme Court states as follows:

"The company had two courses either to act under the standing order empowering it to discharge the employee or to take disciplinary action against him and hold an enquiry. If the company had chosen to resort to standing order 47 for discharging the employee it would not be reasonably said that the company should have charged the workman with misconduct and held an enquiry. The fact that it did not hold an enquiry but resorted to exercise

its powers of discharge under standing order 47 could not render its order of discharge mala fide or one passed in colourable exercise of its powers to discharge the workman from service, if such power was properly exercised. Even if there is an investigation by the employer preceding the passing of the order of discharge, it would be merely a discharge simpliciter and it would not be a punitive one issued for misconduct."

In that case the employer had properly and justifiably exercised its power to discharge its employee under the aforesaid standing order 47. In another case reported in The Workmen of Sudder Office, Cinnamara and The Management of Sudder Office and another, 1971 I L.J., 620 the services of the workman was terminated under clause 9 of the Standing order involved in that case. The true legal position about the Industrial Court's jurisdiction and authority in dealing with cases of the kind was involved in that ruling. It is true that in several cases contract of employment or provisions in standing orders authorise an industrial employer to terminate the service of his employees after giving notice for one month or paying salary for one month in lieu of notice, and normally, an employer may, in a proper case, be entitled to exercise the said power. But where an order of discharge passed by an employer gives rise to an industrial dispute, the form of the order by which the employee's services are terminated would not be decisive; industrial adjudication would be entitled to examine the substance of the matter and decide whether the termination is in fact discharge simpliciter or it amounts to dismissal which had put on the cloak of discharge simpliciter. If the Industrial Court is satisfied that the order of discharge is punitive, that it is mala fide, or that it amounts to victimisation or unfair labour practice, it is competent to the Industrial Court to set aside the order and in a proper case, direct the reinstatement of the employee. In the above case however termination of service was upheld holding that the management had the right to rely upon the standing orders to terminate the services of the employee if they had lost faith and confidence in him.

8. In a similar case reported in Air-India Corporation, Bombay v V. A. Revellow and another, 1972 I L.J., 501, the Supreme Court pointed out that once bona fide loss of confidence is affirmed the impugned order must be considered to be immune from challenge. The opinion formed by the employer about the suitability of his employee for the job assigned to him even though erroneous if bona fide is in their view final and not subject to review by the industrial adjudication. In that case the workman's services were terminated under Regulation 48 by paying salary for 30 days in lieu of notice. The order however does not state any misconduct on the part of the workman. The loss of confidence complained of in that case was a case of suspicion regarding the workman's private conduct and behaviourous with some air hostesses employed by the Air India. The Supreme Court held that the termination of service was valid on account of the fact that the employer had lost confidence in the workman. It is pointed out in a case reported in Siddhantha Krishnaji Kadam v Dadajee Dhakjee and Co Pvt. Ltd., and another, 1977 Labour & Industrial Cases 602; and stated as follows: "In cases of misconduct, it is open for the employer either to hold enquiry and dismiss the employee by way of punishment or discharge him and pay all retrenchment benefits. The employer has a choice to adopt either of the courses, provided action is bona fide. The question of mala fides or acting in colourable exercise of power, cannot arise unless allegations set up are unfounded, and imaginary, and the action is motivated by some ulterior purpose." In that case the employer was discharged without enquiry on the ground that the employer lost confidence in him when he was found working in another's garage privately after leaving office on false pretext. The order of discharge on the ground of misconduct was held to be justifiable. In a Kerala case reported in Premier Tyre Limited v Workmen of Premier Tyre Ltd., 1973 Labour Industrial Cases, 1131, it is held that where a workman is guilty of misconduct it is open to the employer to terminate his service without conducting an enquiry against him by virtue of its powers under the Standing orders.

9. Taking into consideration all the above decisions, I am of opinion that employer in this case was justified in relying upon the standing order read with the terms and condition of employment in this case and terminating the

service of the workman as they had lost faith and confidence in him because of his misconduct which was proved to the hilt.

10. It is pointed out that in spite of termination of service the workman is entitled to relief under Section 2(oo) read with Section 25F of the Industrial Disputes Act, 1947 as he was deemed to have been retrenched from service. In this regard I may straightway quote a passage from the decision of the Supreme Court reported in State Bank of India and N. S. Nair Money, : L.R. 1976 (3) p 197, which reads as follows

"If the workmen swim into the harbour of Section 25F, he cannot be retrenched without payment, at the time of retrenchment, compensation computed as prescribed therein reach with Section 25-B(2). Whatever the reason every termination spells retrenchment. So the sole question has the employee's service been terminated? Verbal apparel apart, the substance is decisive. A termination is where a term expires either by the active step of the master or the running out of the stipulated term. The protect the weak against the strong this policy of comprehensive definition has been effectuated. Termination embraces not merely the act of termination by the employer, but the fact of termination however produced, may be, the present may be a hard case, but we can visualise abuses by employers, by suitable verbal devices, circumventing the armour of Section 25-F and Section 2(oo). Without speculating on possibilities, we may agree that retrenchment is no longer terra incognita but area covered by an expansive definition. It means 'to end, conclude case'. An employer terminates employment not merely by passing an order as the service runs. He can do so by writing a composite order, one giving employment and the other ending or limiting it. A separate, subsequent determination is not the sole magnetic pull of the provision. A pre-emptive provision to terminate is struck by the same vice as the post-appointment termination. Dexterity of diction cannot defeat the articulated conscience of the provision. What follows? Had the State Bank known the law and acted on it, half a months pay would have concluded the story. But that did not happen. And now, some years have passed and the Bank has to pay, for no service rendered. Even so, hard cases cannot make bad law. Re-instatement is the necessary relief that follows."

That decision was followed in a later decision of the Supreme Court reported in Hindustan Steel Ltd. v Presiding Officer, Labour Court Orissa and Others, AIR 1977 Supreme Court 31 (1976 Labour Industrial Cases 1966). The later case was one in which termination of service was effected on account of running out of time stipulated in the contract of service which according to the Supreme Court will come within the definition of 'Retrenchment' as defined in Sec. 2(oo) and that termination cannot be justified unless it is effected in terms of Sec. 25F of the Act. If these decisions are to be followed, it can be said that in the circumstances of the case the workman should have been given retrenchment compensation in which case the order of retrenchment has to be passed in terms of Sec. 25F of the Act. But, it is doubtful whether the retrenchment as defined in Sec. 2(oo) can be applied to the facts of the present case, though the termination of service in the instant case was not effected by way of disciplinary action; still it can be said that the management had chosen to terminate the service in terms of the regulation which provides termination of service in accordance with the terms of contract, in which case it is doubtful whether termination would amount to a retrenchment. Any way, after finding that the management had lost faith and confidence in the workman he cannot be reinstated in service. He has been imputed with an act which has some bearing on his moral turpitude. The management was within its right to terminate the service of such an employee under the terms of the regulation read with the terms of employment. However, taking into consideration all the circumstances, it can be said that the workman could be paid compensation for the loss of his employment. The amount of compensation shall be fixed at the rate of salary which he was drawing at the time of his discharge for the period from the date of his unemployment from 31-7-1975 to this date. Employer shall pay to the workman

ORDER

New Delhi, the 4th May, 1977

S O 1974—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Dena Bank Hyderabad and their workmen in respect of the matters specified in the Schedule hereto annexed

And whereas the Central Government considers it desirable to refer the said dispute for adjudication

Now, therefore, in exercise of the powers conferred by Section 7 read with clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri K P Narayana Rao with headquarters at Hyderabad and refers the said dispute for adjudication to the said Central Government Industrial Tribunal

SCHEDULE

Whether the action of the management of Dena Bank, Hyderabad in appointing Shri Shavataram Clerk-cum-Typist Nemppali Br as Cashier in that Branch w.e.f 20-10-1976 ignoring the claim of Shri P S Raju Clerk cum Cashier in the same Branch is justified ? If not, to what relief is Shri P S Raju entitled ?

[No L-12011 63 76-D II 4]

New Delhi, the 26th May, 1977

S O 1975—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of United Commercial Bank, Giridih Branch and their workmen, which was received by the Central Government on the 24-5-1977

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No 26 of 1975

(Ministry's Order No L-12012/6/75/D-II/(A), dated May 30, 1975),

PARTIES

Employers in relation to the United Commercial Bank Giridih Branch,

AND

Their workmen

PRESENT .

M Justice K B Srivastava (Retd) Presiding Officer

APPEARANCES

For the Employers—Shri S S Mukherjee, Advocate with Shri G C Sen, Officer of the Bank

For the Workmen—Shri T P Choudhury, Advocate & Shri N Lai, Advocate

STATE Bihar

INDUSTRY Bank

Dated, the 20th May, 1977

AWARD

The United Commercial Bank (hereinafter referred to as the Bank) is a nationalised Bank having its Head Office at Calcutta and branch offices at several places in the country, and also abroad. One such branch is at Giridih in the State of Bihar. Sukumar Pandey—the concerned workman—was

appointed as a clerk in the Giridih branch on a temporary basis on November 18, 1969 and continued to work till February 28, 1970. The Bank held a competitive examination for recruitment of clerks on permanent basis for the Dhanbad area branches on June 28, 1970 and though Sukumar Pandey was not in the service of the Bank on that date, he sat at the examination, alongwith others and was informed by the Area Manager, Dhanbad, by letter dated December 23, 1970 that he had passed the said competitive examination and had qualified himself for the viva voce test. Sukumar Pandey has alleged that he had also been assured that his name would be included in the panel but it was not done. The Bank held a second competitive examination in November 1970 for the recruitment of permanent clerks for the Dhanbad area branches. These two competitive examinations were followed by an interview of the candidates who had qualified in the June examination or in the November examination. Sukumar Pandey was also interviewed. His grievance is that the Bank ought to have prepared a panel in respect of the June examinees before holding the November examination and it was not proper on its part to have combined the two examinations for the purpose of holding a single interview and the preparation of a single panel for both these examinations. He has then alleged that only a few of the June examinees and a few of the November examinees were listed in the panel and clerical jobs were offered to them but no job was offered to him. He has alleged that the failure on the part of the Bank to offer him a post in preference to the November examinees, betrays malafides abuse of power and unfair labour practice. He has further complained of the discriminatory attitude on the part of the Bank by citing a few instances. One K Prasad, a Giridih Branch Clerk, was appointed a special assistant on June 4, 1969 and another Giridih Branch Clerk S B Prasad was appointed a special assistant on November 18, 1969 and transferred to Ranchi. Sukumar Pandey's complaint is that he should have been appointed in one of these two permanent vacancies on account of the promotion of K Prasad and S B Prasad but it was not done and his services were terminated on February 28, 1970. Subsequently he was given another temporary appointment on February 4, 1971 but that appointment also came to an end on March 31, 1971. He has further alleged that although his services were terminated on March 31, 1971 two others S S Bhudolia and S D Sharma were appointed on April 22, 1971 and May 15, 1971 respectively and made permanent even though he had a preferential claim over them. Finally, he has contended that his services were wrongly terminated on March 1, 1970 in clear violation of para 208 of the Bi-Partite settlement dated October 19, 1966 and in view of the aforesaid facts, he is entitled to reinstatement with continuity of service and full back wages with effect from March 1, 1970 when his services were terminated.

2 His case was sponsored by the Unit Secretary, United Commercial Bank Employees Association, and as a result of that, the following dispute has been referred by the Central Government for adjudication to this Tribunal, namely —

"Whether the management of the United Commercial Bank is justified in terminating the services of Shri Sukumar Pandey, Clerk, Giridih Branch of the Bank, with effect from the 1st March, 1970 ? If not, to what relief is the said workman entitled ?"

3 The Bank has raised various pleas, legal and factual against Sukumar Pandey. It is contended that the dispute concerns an individual workman and since the reference has not been made under section 2A of the Industrial Disputes Act, it is bad in law, the United Commercial Bank Employees Association has no locus standi to represent Sukumar Pandey under section 36 of the Act because it is not a registered trade union. It has also no locus standi to represent him because Sukumar Pandey was not a member of this Association. That the Association was not competent to raise the industrial dispute in the absence of a Resolution passed either by the General body of the Association or by its Executive Committee, the reference is bad because Sukumar Pandey is not a workman after he ceased to be in the service of the Bank. Sukumar Pandey is estopped from raising the dispute because he took payment of his salary when his services came to an end on March 1, 1970 and thereafter applied for re-employment and was re-employed on February 4, 1971, there is no industrial dispute within the meaning of section 2(k) of the Industrial Disputes Act inasmuch as the temporary appointment of Sukumar Pandey had come to an end by efflux of time and there was no service condition making it obligatory on the part of the Bank to

continue him in employment, and that no dispute was raised by Sukumar Pandey or by the Association with the management so as to convert that dispute into an industrial dispute and consequently the reference is bad in law. On the question of fact, the Bank's contention is that Sukumar Pandey had applied for a job on May 29, 1969 and on that basis the Bank appointed him as a clerk on a temporary basis for a period of one month on November 18, 1969, his temporary tenure was liable to curtailment even before the expiry of one month at the option of the Bank or to extension thereof depending upon the requirements of the Bank; that the Bank had specially advised Sukumar Pandey that his temporary appointment would not entitle him to permanent absorption until he had passed the competitive examination and the interview, that he had agreed to the terms by accepting the letter of appointment, that the temporary term of appointment of Sukumar Pandey was extended from time to time upto February 18, 1970 and finally by a letter dated February 18, 1970 he was advised that the period of his temporary service had been extended upto February 28, 1970 whereafter it would not be extended any further, that his services were not terminated but came to an automatic end by efflux of time without the necessity of any positive act of termination, that the reference, when it speaks of termination of service is misconceived, that even if it could be called a termination, it was justified as there was no permanent vacancy against which Sukumar Pandey could be absorbed and further because he had not passed either the written examination or the interview before March 1, 1970, that it was true that he had appeared for the written test in June, 1970 but had failed at the interview, and that in any case, the position after March 1, 1970 is irrelevant because the reference is confined to the termination of service on March 1, 1970.

4 The Association, in its rejoinder, has pleaded that Sukumar Pandey is a workman within the meaning of section 2(s) of the Industrial Disputes Act, that Sukumar Pandey was a member of the Association, that the Association was entitled to espouse his cause and raise an industrial dispute, that the Association is a registered trade union and is entitled to represent Sukumar Pandey under section 36, that the law of estoppel has no place in industrial adjudication, that the Association had raised the dispute with the Bank, that it is not a fact that the appointment of Sukumar Pandey had come to an end and that the fact is that his appointment had been terminated.

5 In its rejoinder, the Bank has reiterated its earlier pleas and has added by stating that the examination was held in two batches, once in June and for the second time in November and the interview was common for both and Sukumar Pandey had not qualified in the totality of the test to make him eligible for absorption in the service of the Bank, that para 208 of the Bi-partite settlement has no application to the case of Sukumar Pandey, that the Bank did not adopt any discriminatory attitude towards Sukumar Pandey and there was no victimisation or unfair labour practices, and that the Tribunal has no power to go into the question of facts posterior to March 1, 1970 because the reference only relates to the termination of service of Sukumar Pandey as on March 1, 1970 and not to any act of commission or omission on the part of the Bank after that date.

6. Manmohan Tiwary WW-1 is closely related to Sukumar Pandey. He came to know that certain vacancies were likely to fall vacant in the clerical staff of the Giridih Branch and he communicated that fact to Sukumar Pandey who then made the application Ext M-1 on May 29, 1969 requesting the Manager, Giridih Branch for his appointment as he had "come to learn that a clerk's post has fallen vacant". Ext M 2 is the manager's letter dated November 18, 1969. The letter makes a reference to Sukumar Pandey's application dated May 29, 1969 and offers him "employment as a clerk for one month from 18th November, 1969" on certain terms and conditions. These terms and conditions include the following —(i) "you will be appointed on a temporary basis and your services are liable to be terminated at any time at Bank's option without any notice or salary in lieu thereof, and without assigning any reasons" (ii) "please note that your present temporary appointment which may be further extended does not entitle you to be taken up in the permanent employment in the bank, until and unless, you have passed test examination and interview to be conducted hereafter at Dhanbad for which your application on Bank's standard forms has already been forwarded for their consideration".

(iii) if you accept the above offer, please return the duplicate copy of this letter duly signed by you in token of such acceptance. There is no dispute that Sukumar Pandey accepted the aforesaid terms and conditions and joined the post of a clerk in the Giridih Branch on November 18, 1969 on a purely temporary basis. The duration of his term was extended for one month with effect from 18th December, 1969 on the same terms and conditions by the letter Ext M 3 dated the 16th December 1969 and he was asked to confirm his acceptance. There is again no dispute that Sukumar Pandey accepted the offer of extension and continued to work till December 18, 1969. His term was further extended by the letter Ext M 4 dated January 16, 1970 for another month on the same old terms and conditions and he was again asked to confirm the fact of acceptance. By Ext M 5 dated the 18th February, 1970 his term was extended further upto February 28, 1970. The aforesaid facts can hardly be denied. Manmohan Tiwary WW-1 and C N Banerjee WW-4 have admitted that Sukumar Pandey's appointment was on a temporary basis. Sukumar Pandey WW-7 had also admitted the temporary character of his services in the plant instituted by him in the Civil Court. He further admitted in his deposition in the Tribunal that he had joined the post of Clerk on November 18, 1969 on the terms and conditions mentioned in Ext M 2. The contention of Sukumar Pandey, however, is that he was appointed against one of two permanent vacancies in the clerical establishment and had worked for more than 90 days continuously and had therefore become permanent. Manmohan Tiwary WW-1 has stated that one Kalunakar Prasad and one Sham Behari Prasad who were permanent clerks in the Giridih Branch were promoted as special assistants and Sukumar Pandey was appointed against one of these permanent vacancies. To the same effect is the evidence given by WW-4 C N Banerjee WW-5 R K Sharma and WW-6 S J Ray. Sukumar Pandey WW-7 has also deposed to the same effect. On the other hand Govind Ram Thakur MW-1, the manager of the Giridih Branch, has deposed that Sukumar Pandey was appointed not against any permanent vacancy but in a leave vacancy. He has stated that U N Lal was on leave from August 25, 1969 to November 21, 1969, R K Sharma from November 17, 1969 to November 26, 1969, S N Sinha from November 12, 1969 to November 21, 1969, A R Sahgal from October 21, 1969 to November 14, 1969, B P Sinha from December 1, 1969 to December 10, 1969, S J Ray from December 8, 1969 to December 23, 1969, S M Sinha from December 30, 1969 to January 8, 1970, S K Ghoshal from December 2, 1969 to December 20, 1969, P Chatterjee from January 20, 1970 to February 7, 1970 and R K Sharma from February 11, 1970 to March 3, 1970. His deposition is based on the aforesaid register Ext M 13. He has then deposed that Sukumar Pandey was appointed on a purely temporary basis for limited periods from time to time against one or more of the aforesaid or overlapping leave vacancies and not against any permanent post. He admitted in his cross-examination that the letter of appointment Ext M 2 does not mention the appointment of Sukumar Pandey in a leave vacancy but that to my mind is not very material because it does not also mention that the appointment was against a permanent vacancy. MW-1 Arun Roy, the Personnel Officer has deposed that there was no permanent vacancy on November 18, 1969 against which Sukumar Pandey could have been appointed. He has made it clear in his cross-examination that the appointment was in a leave vacancy although that fact is not mentioned in Ext M-2 because the appointment was not against a particular leave vacancy but against simultaneous and overlapping leave vacancies. There are two reasons why I think it fit and proper to believe the version of the Bank. It is clear to me that Kalunakar Prasad and Sham Behari Prasad two permanent clerks in the Giridih Branch were promoted as special assistants. The Bank has urged that they were not promoted because the post of a special assistant is not a promotional post and a clerk who is appointed as a special assistant carries his existing scale of pay and gets only a special allowance of Rs 75 per month according to the bi-partite settlement dated 19th October 1966. I think that the post of a special Assistant is a promotional post as it is admitted by the bank itself in Ext M-32 dated May 6, 1969. That however will make no difference. It is not disputed that there is a probation of 6 months when a permanent clerk is appointed on a higher post. WW-1 Manmohan Tiwary admits that "it". He further admits that Kalunakar Prasad was appointed as a special assistant on June 4, 1969 and Sham Behari Prasad on November 18, 1969 and they were confirmed respectively on December 1, 1969 and May 25, 1970 and they had retained their posts on

the post of permanent clerks till they were confirmed on the promotional posts. It is obvious, therefore, that no permanent post was vacant on November 18, 1969 when Sukumar Pandey was appointed. The utmost that can be said is that he was appointed against a permanent post though the appointment was not permanent. However, that fact is also not correct. MW-1 Govind Ram Thakur has deposed that Karunakar Prasad and Sham Behari Prasad were both placed on probation for 6 months. He has further deposed that he did not need any additional hand to replace them when they were appointed as special assistants because he was in a position to manage the affairs of the bank without any additional hand. Ext. M-25 to M-34 constitute the correspondence that passed between the Giridih Branch and the Head Office in respect of Karunakar Prasad's appointment as special assistant. I need refer only to Ext. M-27, M-28 and M-32. Ext. M-27 is a letter from the Head Office requesting Giridih Branch to report as to what arrangement would be necessary if Karunakar Prasad was appointed as special assistant. Ext. M-28 is the reply of the Giridih Branch saying that the Branch will not require any additional hand in place of the Karunakar Prasad as it will make internal arrangements for the clerical duties performed by him. The Branch Manager repeats these facts in Ext. M-32 dated May 6, 1969 also and says that the clerical work of Karunakar Prasad will be managed by him by internal arrangement. Ext. M-32 is the letter of appointment of Karunakar Prasad and Ext. M-36 is the letter of appointment of Sham Behari Prasad. It is difficult to accept the statement of Sukumar Pandey that he was appointed in the permanent vacancy either of Karunakar Prasad or of Sham Behari Prasad when the bank had taken a decision that no additional hand were necessary on account of the promotion of Karunakar Prasad. Besides, the management is in a better position to know whether Sukumar Pandey was appointed in a leave vacancy or in a permanent vacancy, while Sukumar Pandey is not in such a position. Again there was no permanent vacancy while there were several leave vacancies. On the whole, therefore, I find that Sukumar Pandey was appointed temporarily from November 18, 1969 to February 28, 1970 in a leave vacancy. The letter of appointment clearly mentions that his appointment was purely temporary and the initial period or the extended periods were liable to curtailment without notice and without payment of salary in lieu of notice and without assigning any reason for curtailment of the duration of the services. The letter further mentions that Sukumar Pandey would not be entitled to obsoletion or any permanent post because of his temporary appointment.

7. A grievance of Sukumar Pandey is that his services were terminated on March 1, 1970 but that does not appear to be so. His term was being extended from time to time and it came to an end by sheer efflux of time when it was not extended further beyond February 28, 1970. There was an automatic end to his employment without the necessity of the positive act of termination. Para 207 of the bi-partite settlement amended the definition of 'temporary employee' given by the Desai Award in para 23(1). According to the amended definition, "temporary employee" will mean a workman who has been appointed for a limited period for work which is of an essentially temporary nature or who is employed temporarily as an additional workman in connection with a temporary increase in work of a permanent nature and includes a workman other than a permanent workman who has been appointed in a temporary vacancy caused by the absence of a particular permanent workman. Sukumar Pandey's case, on the findings above recorded is covered by the words "a workman other than a permanent workman who has been appointed in a temporary vacancy caused by the absence of a particular permanent workman". Para 18, 17 of the Desai Award which still holds the field says that the termination of employment is termination by way of disciplinary action and that gives an additional reason why it can not be said that Sukumar Pandey's tenure of office was terminated. It follows, therefore, that when Sukumar Pandey's term expired on February 28, 1970 his service came to an end not by way of termination but by efflux of time. He can have no grievance, therefore, when he had to abide by those terms and conditions.

8. The learned counsel for Sukumar Pandey argued that he had become permanent by reason of para 208 of the bi-partite settlement and therefore even though his services ended on March 1, 1970 he will still be entitled to be a permanent clerk by the force of para 208. That part says

that a temporary workman may also be appointed to fill a vacancy provided that such temporary appointment shall not exceed a period of 3 months, during which the bank shall make arrangements for filling up the vacancy permanently. Such a temporary workman is eventually entitled to filling up the vacancy, the period of such temporary appointment will be taken into account as part of his permanent period. Undoubtedly, Sukumar Pandey had worked as a temporary clerk continuously from November 18, 1969 to February 28, 1970, i.e. to say for a continuous period of 103 days. His continuous employment, however, is held to have been an appointment to fill a permanent vacancy for the reason that the appointment was not made to fill a permanent vacancy but to fill a leave vacancy. Besides, the purpose of para 208 is only to give an opportunity to the bank to make a permanent appointment within a period of 3 months and para 208 does not say that if such an appointment is not made, then the incumbent will become permanent. Again if the bank does not make an appointment within a period of 3 months the temporary workman who is holding a permanent position gets in advantage in the matter of selection of his permanent period, provided he is eventually selected and not otherwise. Sukumar Pandey was not initially selected as he failed to qualify in the aggregate in the written examination and interview. The written test is held in English and Arithmetic for the recruitment of clerks and subordinate staff for permanent absorption. The test is held region wise but Division-wise. The East region comprises the States of West Bengal, Bihar, Assam and Orissa. The English and Arithmetics papers, each carry 50 marks. The qualifying marks for each paper is 40 per cent, i.e. to 20 marks in each subject, but the aggregate qualifying mark is 70 per cent of the two. The written test is followed by an interview which is confined to those candidates who obtain 50 per cent in the aggregate. The Bank relaxed the aggregate qualifying mark for the 1970 tests by reducing it to 40 per cent in the aggregate. The 1970 written test was held in two batches, one test was held on June 28, 1970 and the second on November 29, 1970. Sukumar Pandey sat in the test held on June 28, 1970. He obtained 20 out of 50 in English and 26 out of 50 in Arithmetics, with an aggregate of 46 per cent but under the relaxed rules he became eligible to appear in the interview and was called therefor. There were 26 permanent vacancies in the Bihar Division in that year. Ext. M-18 dated February 28, 1971 is the interview rating form which shows that Sukumar Pandey had obtained 5 out of 10 marks at the interview. Ext. M-19 is the extract of written test statement which indicates that he had obtained 26 marks in English and 20 marks in Arithmetics. Ext. M-20 is the panel prepared after that interview and it does not include the name of Sukumar Pandey as he had obtained marks less than the 26 candidates whose names were included in the panel. The above will also appear from the evidence given by MW-1 Govind Ram Thakur and MW-2 Ajit Ray. Sukumar Pandey has deposed that he had qualified at the interview. That may be so, but that will make little difference if the total marks obtained by him were far below those obtained by the 26 unselected candidates. It follows, therefore, that he was not eventually selected so as to claim the benefit of para 208.

9. Sukumar Pandey was given a fresh temporary appointment on February 4, 1971 and this temporary appointment also came to an end on March 31, 1971. He has deposed that he got this second appointment because he had passed the written test and interview and not because he had made any application for a temporary appointment. His evidence is untrue. It has been seen above that there were only 26 permanent vacancies and the top most 26 candidates were in the panel. His application for a fresh appointment is Ext. M-6A. It mentions that he had come to know that some temporary vacancies were available and he sought an appointment against one of these vacancies. Ext. M-7 is the letter of appointment dated February 4, 1971. It refers to his application and offers him employment as a clerk for 21 days from Feb 4, 1971 in chief arrangement on the condition that he will be appointed on permanent basis and his services were liable to be terminated at any time at the option of the bank without assigning any reason. Ext. M-8 is the letter dated February 24, 1971 extending his period of temporary service for a further period of 15 days on the same terms and conditions. Ext. M-9 is another letter dated March 11, 1971 extending his temporary appointment upto

March 20 on the same terms and conditions. Ext M-10 is letter dated March 22, 1971 extending the period of his temporary appointment upto March 31, 1971. Ext. M-11 is a letter dated March 31, 1971 informing him that his temporary term of service was expiring on that date and his services were no longer required and will thus stand terminated at the close of the banking hours. The first temporary appointment between November 18, 1969 and February 28, 1970 was for a continuous period of 103 days and the second temporary appointment between February 4, 1971 and March 31, 1971 was for a total period of 56 days. The contention of the learned counsel for Sukumar Pandey is that the bank was under an obligation to employ Sukumar Pandey in term of a circular letter Ext. M-12 dated July 7/8, 1972. There are serious flaws in this contention. Ext. M-12 has no application in the case of Sukumar Pandey. The circular contains the policy decisions of the bank on the question of absorbing temporary employees. The decision No. 1 says that all temporary employees who are working from or after 1st January, 1970 for a period of 240 days or more, between 1st January, 1970 and 30th November, 1971 with or without break in their service irrespective of the nature of vacancies against which they had worked, notwithstanding their position in the written test in which they might or might not have appeared shall, be treated as confirmed employees of the bank with effect from 1st January, 1970. The essential requirement of decision No. 1 is a service of 240 days or more between January 1, 1970 and November 30, 1971. Sukumar Pandey had worked for a period of 115 days only during this period and, therefore, his case is not covered by decision No. 1. Further he was not working on July 8, 1972 when the circular came into force and decision No. 1 applies to those who were actually working on that date. Decision No. 2 says that all temporary employees whose services were terminated but who had put in aggregate service of 240 days or more in the bank, between the 1st January, 1970 and 30th November, 1970, with or without break in their services, irrespective of the nature of vacancies against which they had worked, notwithstanding their position in the written test in which they might or might not have appeared, will be offered employment in the bank provided they submit their applications for appointments in the bank on or before 31st July, 1972. This decision also does not apply. Firstly, Sukumar Pandey had put in only 115 day aggregate during the period January 1, 1970 and November 30, 1971; and secondly, he had not made any application for appointment on or before July 31, 1972. Decision No. 3 says that all temporary employees who are working or had worked for 91 days or more but less than 120 days without break in permanent vacancies or those who are working or had worked for 120 days or more but less than 240 days with or without break in permanent vacancies only during the period between the 1st January, 1970 and 30th November, 1971 will also be offered employment in the bank after proper scrutiny on their applications. Such applications were to be received upto 31st July, 1972 by the branches where they had previously worked. This decision also does not apply because Sukumar Pandey had worked for more than 91 days but less than 120 days in leave vacancy and not in a permanent vacancy and also because he had not made any application to the Giridih Branch upto July 31, 1972 for taking the benefit of decision No. 3. It is apparent, that Sukumar Pandey can not take the advantage of the circular Ext. M-12. Besides, the schedule to the reference is only in respect of the termination of service effective from March 1, 1970. The Tribunal's power is limited to the adjudication of the dispute specified in the reference or matters incidental thereto. It cannot enlarge the scope of the reference by adding additional matters. Whether or not Sukumar Pandey can get the benefit of the circular which came into force on July 8, 1972, is not the dispute referred for adjudication nor it is the dispute which is incidental thereto.

10. The learned counsel for Sukumar Pandey contended that the bank had adopted a discriminatory attitude towards him by appointing others and by ignoring him and, therefore, the bank should be directed to appoint him also. Two instances were cited to elaborate this contention. WW-2 Sham Behari Bhudolia was appointed as a temporary clerk in the Giridih Branch on February 15, 1971 and is now a permanent clerk. WW-3 Sajan Gopal Sharma was appointed as a temporary clerk in Giridih Branch in May, 1971. His services were terminated in 1972 but he got a fresh appoint-

ment on April 9, 1973. He is also now a permanent clerk. MW-1 Govind Ram Thakur has deposed that they were made permanent in terms of circular Ext. M-12. MW-2 Arun Ray has also deposed that these two were made permanent on the basis of Ext. M-12. It has been seen above that the case of Sukumar Pandey is not covered by Ext. M-12. The evidence shows that the case of Sham Behari Bhudolia and Sajan Gopal Sharma are covered by the circular. There can be no question, therefore of any discrimination. Besides, the appointments made after the termination of Sukumar Pandey's service on March 1, 1970 are beyond this reference and can not be looked into.

11. In view of my findings on the issue aforesaid, it is not necessary to decide the various legal issues raised by the bank in its written statement. Even if those issues are decided against the bank and in favour of Sukumar Pandey, the latter can get no relief because the termination of his services on March 1, 1970 is justified.

12. My award is that the management of United Commercial Bank was justified in terminating the services of Sukumar Pandey with effect from 1st March, 1970 and he is not entitled to any relief.

K. B. SRIVASTAVA, Presiding Officer
[F No L-12012/6/75-D. II A]
R P NARULA Under Secy

भादेण

नई दिल्ली, 6 मई, 1977

क्रा० आ० 1976—इससे उपर्युक्त अनुसूची में विनिश्चिट प्रोब्लेमिक विवाद केन्द्रीय सरकार और्योगिक अधिकरण स० 1, बम्बई के समक्ष सम्भित है,

प्रौद्योगिक विवाद अधिकरण के पीठासीन अधिकारी अधिकारित कार्रणों से उक्त प्रोब्लेमिक विवाद ने प्राप्त कार्रवाई करने में असमर्थ है,

यत्, प्रब, प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की आरा 30-का की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार, केन्द्रीय सरकार और्योगिक अधिकरण स० 1, बम्बई के समक्ष सम्भित उक्त विवाद से सम्बद्ध कार्रवाहियों को कापाल देती है और उहे उक्त कार्रवाहियों के निपटान के लिए उक्त अधिनियम की आरा 7-के के अधीन गठित केन्द्रीय सरकार और्योगिक अधिकरण स० 2, बम्बई को हस्तान्तरित करती है और यह निवेद देती है कि उक्त केन्द्रीय सरकार और्योगिक अधिकरण स० 2, बम्बई उक्त कार्रवाहिया उसी प्रक्रम से करेगा जिस पर ये हस्तान्तरित की जाएं और विधि के अनुसार उनको निपटाएंगा।

अनुसूची

अधारक	विवाद के पक्षकार	प्रौद्योगिक विवाद की सदर्भ स० और तारीख
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1. प्रधार इंडिया का प्रबन्धतंत्र प्रौद्योगिक विवाद के पक्षकार।	स० एस-11011/7/72-एल० भार०-III तारीख 6 अप्रैल, 1972 (भारत के तारीख 22 अप्रैल, 1972 के राजपत्र, भाग II, खण्ड 3 उप-खण्ड (ii) के पृष्ठ 1552-53 पर का० आ० 983 के रूप में प्रनालित)।
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[म० एस-11011/7/72-एल० भार० III, भी० 2(बी)]

ORDER

New Delhi, the 6th May, 1977

S.O. 1976—Whereas the industrial dispute specified in the Schedule hereto annexed is pending before the Central Government Industrial Tribunal No. 1, Bombay,

And whereas the Presiding Officer of the said Tribunal is unable to proceed further in the said industrial dispute for personnel reasons,

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 33B, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby withdraws the proceedings in relation to the said dispute pending before the Central Government Industrial Tribunal No. 1, Bombay and transfers the same to the Central Government Industrial Tribunal No. 2, Bombay constituted under section 7A of the said Act for the disposal of the said proceedings and directs that the said Central Government Industrial Tribunal No. 2, Bombay shall proceed with the said proceedings from the stage at which these are transferred to it and dispose of the same according to law.

SCHEDULE

SI No	Parties to the dispute	Reference Number and date of Industrial Dispute
1	Management of Air India and their workmen	No I-11011/7/72-LR III, dated the 6th April, 1972, published as S.O. 983 in the Gazette of India, Part-II, Section 3, Sub-section (ii), dated the 22nd April, 1972 on page 1552

[No L-11011/7/72-LR III/D II(B)]

New Delhi, the 27th May 1977

S.O. 1977—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Govt Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employees in relation to the Futwah-Islampur Light Railway Company Limited and their workmen, which was received by the Central Government on the 13th May, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No 29 of 1975

(Ministry's Order No I 41011(2)/75 D II B dated 22nd July 1975)

PARTIES

Employers in relation to the Futwah Islampur Light Railway Company Limited
AND

The Workmen

PRESENT

M: Justice K. B. Srivastava (Retd.)
Presiding Officer

APPARANCES

For the Employers—Shri Ranjit K. Das, Advocate

For the Workmen Shri Rama Shankar Singh Yadav, Advocate, and Shri K. S. Mukherjee, General Secy

tary, Bihar Martin Light Railway Mazdoor Congress Arrah

STATE Bihar

INDUSTRY Railwa

Dated the 10th May 1977

AWARD

The Futwah Islampur Light Railway Company Limited issued a notice of intended lock-out on July 2, 1975. That notice is Ext. M-7. It says that in terms of sub-section (2) of section 22 of the Industrial Disputes Act 1947 notice is hereby given to all concerned that it was their intention to effect a lock-out in the establishment from Futwah Railway Station to Islampur Railway Station on or after July 17, 1975 for reasons explained in the Annexure to the notice. The Annexure Ext. M-8 shows that in spite of the intervention of the Asst Labour Commissioner (C) in connection with the earlier lock out notice dated May 21, 1975 there had been no material improvement in the situation and, therefore, it kept the option open to itself to declare a lock-out on or after July 17 unless within the intervening period of four weeks the workmen concerned so conducted themselves that their unlawful activities were stopped and suitable conditions created for safe smooth and efficient Railway services. The notice was followed by Conciliation Proceedings but since there was no meeting ground between the parties, a failure report was submitted and the Central Government referred the following dispute for adjudication to this Tribunal namely—

Whether the action of the management of Messrs. Futwah-Islampur Light Railway Company Limited, Mercantile Buildings 9, Lal Bazar Street, Calcutta-1, in declaring lock out in their establishment from Futwah Railway Station to Islampur Railway Station on or after 17-7-1975 as intended in their notice dated 2-7-1975, is justified? If not, to what relief are the workmen entitled?

2 The Railway Company has pleaded that on account of the activities of its workmen it had become difficult to ensure safe and smooth running of trains and it had no option but to give notice of the intended lock-out. The Bihar Martin Light Railways Mazdoor Congress has pleaded that it had created no dead-lock and what it did was simply to press their demands in exercise of their lawful trade union activities and that the intended lock-out was wholly unjustified.

3 Ext. M 4 is a letter dated April 28, 1975 sent by the General Manager of the Railway Company to the Regional Labour Commissioner (C) giving a catalogue of incidents concerning the workmen leaving no option to him except to declare a lock-out and requesting him to intervene in the matter. A copy of that letter was sent to the Chief Secretary, Govt. of Bihar, Chief Labour Commissioner, New Delhi, District Magistrate Nalanda District Magistrate Patala, Supdt. of Police, Nalanda Supdt. of Police, Patna, Asstt. Labour Commissioner (C) and Supdt. Arrah Ext. M-2 is a letter dated May 7, 1975 from the Chief Personnel Officer to the Regional Labour Commissioner mentioning that the situation was getting beyond control and a notice was being issued to the workmen to perform their normal duties properly. A copy of this letter was also endorsed to several officers. Ext. M-3 is the notice given to the workmen for the proper performance of their normal duties. Ext. M-1 is a letter sent by the General Manager to the Chief Secretary, Bihar on May 16, 1975 informing him of the situation and intimating to him the intention to declare a lock-out. Ext. M-5 is a notice of lock out dated May 21, 1975 and Ext. M-6 is the Annexure to the notice giving the reasons for the intended lock out. Ext. M-10 is the report of the Asstt. Labour Commissioner to the Ministry of Labour dated June 12, 1975 intimating that he had failed to bring about a settlement between the parties in respect of the notice of lock-out. Ext. M-9 is a letter from the General Manager to the Ministry of Labour dated June 18, 1975 mentioning that bonus had been paid. Ext. M-7 is the impugned notice of lock-out and Ext. M-8 is its annexure. Ext. M-11 is the failure report in respect of the impugned notice of lock out.

4 The Railway Company examined Kamal Kishore, Assistant Engineer to prove the aforesaid documents. He has further deposed that the intended lock-out never materialised because the lock out was never declared on July 17, 1975 or on any date thereafter and the workmen continued to work as before and were not locked out. The Congress did not

lead any evidence in rebuttal. The word "lock out", as defined by section 2(1) of the Industrial Disputes Act, means the closing of a place of employment or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him. It is obvious that on the admitted case of the parties no place of employment was ever closed, no work was ever suspended and no one was ever refused to be employed. There was, therefore, in fact and in law no lock out whatever. There was an only intention to declare it but that intention was not implemented or effected. The Railway is a public utility service within the meaning of section 2(n). Section 22(2) states that no employer carrying on any public utility service shall lock out any of his workmen without giving notice or direction within six weeks before locking-out, or within fourteen days of giving such notice, or before the expiry of the date of lock out specified in any such notice, or during the pendency of any conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings. These formalities were observed by the Railway Company in giving its notice of the intended lock out. Section 22(5) says that the notice of lock out shall be given in such manner as may be prescribed. Rule 72 says that notice of lock-out shall be in Form M and shall be displayed conspicuously by the employer on the Notice Board at the main entrance to the establishment and in the Manager's office and where a Registered Trade Union exists a copy shall also be served on the Secretary of the union. The notice Ext M-7 is in the prescribed form M and was given to the officers mentioned in Form M. The notice was therefore valid in law and since the lock out was never declared its justification or otherwise is not relevant at all and the workmen shall not be entitled to any relief.

5 An application was moved by the Congress on April 28, 1977 mentioning that a serious mistake has been committed by the Ministry of Labour in drafting the schedule to the reference and that the Schedule should have related to the revision of pay scale, allowances and other demands instead of the dispute about the lock-out. It further mentions that the wording of the schedule is meaningless and will serve no purpose as no proper order can be passed in respect of the real matters in disputes, namely, pay scale etc. A prayer has been made that the Tribunal should recast the schedule or write to the Ministry of Labour to correct it or pass any other suitable order. The Tribunal is enjoined by Section 10(4) to confine its adjudication to points of dispute referred and to the matter incidental thereto. In other words, the Tribunal is not competent to enlarge the scope of his dispute referred to it. It can confine its attention to the points specifically mentioned and anything incidental thereto. The Tribunal has no power to add to the dispute. The dispute regarding scales of pay, allowances etc has not been referred and cannot be treated even as incidental to the dispute about the lock out. It is no part of the function of the Tribunal to take up the matter with the Ministry for the correction of the schedule. The Congress should have first raised an industrial dispute with the management in respect of their demands and thereafter it should have approached the Ministry of Labour for the inclusion of that dispute also in the reference. The Tribunal does not know if an industrial dispute was raised and even if it was raised, it is not for the Tribunal to raise the matter with the Ministry of Labour. It is for the Congress or for the conciliation officer to do so. That being so, I must decide the reference on the basis of the evidence before me and only in respect of the dispute referred.

6 My award is that the notice of intended lock out was justified. The workmen are not entitled to any relief.

Sd/-

K B SRIVASTAVA President Officer
[No I-41011(2) 75 D II(B)]

S.O. 1978 —In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Madras in the industrial dispute between the employers in relation to the management of Indian Airlines and their workmen which was filed by the Central Government on the 18th May, 1977.

BEFORE THIRU I N SINGARAVELU, B.A., B.L.,
PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, MADRAS
(Continued by the Central Government)
Saturday the 30th day of April, 1977
In the Dispute No. 29 of 1975

(In the matter of the dispute for adjudication under Section 10(1)(a) of the Industrial Disputes Act, 1947 between the workmen and the management of Indian Airlines, Madras.)

BETWEEN

THE WORKMEN

1 D Tumughan	No 238	Dr Ambedkar Street
2 M Sam,		-do-
3 F S Mathai,		do
4 S Lalasubramanian,		do
5 R Srinivas,		-do-
6 V Gangadharan,		do
7 N Paramanandam,		do
8 S Edward,		-do-
9 S Sampath,		-do-
10 P Sundararajan,		do
11 P Govindaswamy,		-do-
12 R Varakhan,		do
13 K Elumalai		-do
14 P P Babu,		-do-
15 G Londiah		do
16 M Mani,		-do-
17 K Dikkram,		do
18 C Rajamani,		-do-
19 V Vijayan Unni		do
20 B Thirunath,		-do
21 N Mani,		-do-
22 J Lazaras,		-do-
23 C Poliah,		-do-
24 M I Damodar		-do-
25 K Dayalan,		-do-
26 R Tangulam,		-do
27 N Prasannan Nur		-do
28 A Dorai Raj,		-do
29 S Sundaramoorthy		-do
30 B Sundaramoorthy		-do
31 K Ahmed Ali		-do-
32 P Govindan		-do
33 V Vidyarthan		-do
34 P Sulthan		-do
35 I Suresh P		-do-

AND

The Industrial Relations Advisor Indian Airlines, Airline House, Meenambalam, Madras-27

REFERENCE

O.L.R. No. I 11011(17)/74 LR III D 2(B) dated 11.4.1975 of the Minister of Labour Government of India

This cause came on for final hearing on Wednesday the 6th day of April 1977 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru K T Palapandian, advocate for workmen Nos 5 to 10, 13, 19, 24 and 25, Thiruvalluragai Aiyer and Dolia and R Jamal Nizam, advocates for workers Nos 1 to 4, 11, 12, 14, 15, 17 and 18, 21, 23, 26, 28, 29 and 31 to 35 and of Thiruvalluragai C Ravikrishnan N G R Prasad and M Shakti Ali advocates for the Management and workers Nos 16 and 20 being absent, and memoanda of settlements between worker No 1 to 13, 15, 17, 19, 21 to 23, 26 and 32 to 35 and the Management and memoranda for withdrawing the claim by worker Nos 18, 27 and 30 having been filed and recorded the same and having stood over till this day for consideration the Tribunal made the following Award.

AWARD

This is an Industrial Dispute between the Management of Indian Airlines Madras and their workmen in respect of the matter specified in the Schedule annexed hereto. This dispute

has been referred by the Government of India in its Order No. 1, 11011(17)/74-LR. III/D. 2(B), dated 11-4-1975 of the Ministry of Labour for adjudication.

2. The Schedule reads as follows :—

Whether the Indian Airlines, Madras, is justified in denying employment from 23-11-1973 to all or any of the undermentioned workmen who were appointed by them on regular casual/daily rate basis ? If not, to what relief are the said workmen entitled and from what date ?

1. Shri D. Arumugham.
2. Shri M. Sam.
3. Shri P. S. Mathai.
4. Shri S. Balasubramaniam.
5. Shri R. Samraj.
6. Shri V. Gangadharan.
7. Shri N. Palamanandam.
8. Shri S. Edward.
9. Shri S. Sampath.
10. Shri P. Sundararajan.
11. Shri P. Govindaswamy.
12. Shri R. Vardhan.
13. Shri K. Elumalai.
14. Shri P. P. Babu.
15. Shri G. Kondiah.
16. Shri M. Maniraj.
17. Shri K. Dikkram.
18. Shri C. C. Rajamani.
19. Shri V. K. Vijayan Unni.
20. Shri B. Thirunath.
21. Shri N. Mani.
22. Shri J. Lazaras.
23. Shri C. Poliah.
24. Shri M. K. Damodaran.
25. Shri K. Dayalan.
26. Shri R. Thangadurai.
27. Shri N. Prasannan Nair.
28. Shri A. Dorairaj.
29. Shri S. Sundaramoorthy.
30. Shri B. Sundaramoorthy.
31. Shri K. Ahmed Ali.
32. Shri P. Govindan.
33. Shri V. Vaidyanathan.
34. Shri P. Sukumaran.
35. Shri L. Susai Raj.

3. The 35 employees mentioned in the Schedule have filed claim statements, some jointly and some separately. There are 20 claim statements by the workmen, but the averments are practically and generally the same with some variations in respect of the individuals. The Management has since settled the dispute with 20 out of the 35 employees and therefore the claims of the remaining five employees alone are relevant for deciding this dispute. The five workmen with whom we are now concerned are Thiruvalargal M. K. Damodaran (Serial No. 24), K. Duvalan (No. 25), A. Dorairaj (No. 28) S. Sundaramoorthy (No. 29) and K. Ahmed Ali (No. 31).

4. The averments of the employees Nos. 24 and 25 are briefly as follows : These two employees Thiruvalargal M. K. Damodaran and K. Dayalan were appointed by the Management of the Indian Airlines Corporation (hereinafter referred to as the Corporation) on 15-7-1971 and 10-6-1971 respectively as Cabin Cleaners permanently and they were paid wages on monthly basis. Regular Attendance Register was maintained for them and they were given all the benefits due to the regular employees. In about 1973, the employees Union served a notice on the Management proposing a strike with reference to its demands. In turn, the Management came out with an illegal lockout which came into effect on 24-11-1973. Subsequently, when the lockout was lifted, the Management refused to give employment to these persons illegally. The non-employment is improper and therefore they should be reinstated in service with back wages from 24-11-1973.

5. The other three employees Nos. 28, 29 and 31 have filed separate claim statements through their learned counsel and their averments are briefly as follows : According to these three persons, A. Dorairaj, S. Sundaramoorthy and K. Ahmed Ali, they were appointed as Porters on regular basis with effect from 1-6-1973 after a personal interview and medical examination. Their permanency of service is borne

out by the Duty Register, Salary Register, Leave Register, etc., and they were enjoying all the benefits of regular employees. However, after this strike and the lockout, the Management refused to give employment to these people arbitrarily. The contention of the Management that they are only casual labourers is false and mala fide and therefore they pray for reinstatement with continuity of service.

6. The Management of Indian Airlines, Madras filed a counter statement, and so far as it is relevant for the purpose of this adjudication, the averments are as follows : The Indian Airlines Corporation is a Statutory body constituted under the Air Corporation Act, 1953 and the Corporation is empowered to employ persons on terms and condition governed by Regulations made under Section 45 of the said Act. A permanent cadre strength is determined by the Management. In respect of such sanctioned permanent posts alone, permanent appointments can be made. However, the Management is empowered by the Regulations to take temporary or casual hands as and when required. These five claimants now in dispute were never appointed on a permanent basis and they were only casuals on daily rated basis. As a matter of convenience, the Management prepared a panel of the names of these casual employees and were giving work to those persons according to the administrative needs and requirements. The 35 persons mentioned in the reference were never given any guarantee of employment and they are only casual employees in the panel. On 23-11-1973, the Management had to declared a lockout following an illegal strike which was organised by the employees of the Corporation. After the lifting of the lockout, there was no work for these casuals and therefore they were not given work. Of course, some of these claimants were given the usual benefits like casual leave, medical attendance, over time, etc., but that will not entitle these employees to the status of regulars on permanent basis. Therefore, the question of denying employment to these persons does not arise and the dispute itself is misconceived. Further, the reference itself is not maintainable and it is incompetent in as much as the demands are only individual and not collective. No demand was made on the Management, and therefore there is no Industrial Dispute in the eye of law. The reference itself reads that they are only casuals and daily-rated workmen. Therefore, these five claimants will not be entitled to any relief.

7. During the pendency of the dispute before this Tribunal, the Management has settled the dispute with reference to the Claimants Nos. 1 to 13, 15, 17, 19, 21 to 23, 26 and 32 to 35. They have filed Memos of Settlements to that effect. They are since absorbed by the Management and given employment and therefore the Memos of Settlements are recorded. The Settlements are fair and reasonable and therefore an Award is passed in terms of the Settlements which will form part of the Award. With reference to the employees Nos. 14, 16, 20, no claim statements have been filed and they did not also give evidence in respect of their claims. Therefore, their claims are negatived. No. 18 has withdrawn his claim; No. 27 has not pressed his claim and No. 30 has filed a Memo stating that the claim may be dismissed. Therefore, no reliefs are granted to these persons since they are not pressed. Now, we are left with the claims of Nos. 24, 25, 28, 29 and 31 alone. Nos. 24 and 25 were Cabin Cleaners, while the other were Loaders.

8. The main contentions of these five workmen are that they had been permanently appointed by the Corporation and therefore the non-employment is illegal. As against this, the contention of the Indian Airlines is that they were only casual employees and therefore they are not entitled to be appointed as permanent employees. The issue framed by the Government itself reads that these concerned workmen are either regular casuals or daily rated employees. In other words, the issue framed by the Government is whether the Management is justified in denying employment to these workmen who were appointed by the Management on regular casual/daily rated basis. On the basis of this, the issue itself reads that they are only casuals and not persons permanently appointed in service by the Corporation. However, both parties went further and let in evidence on the larger question whether they are permanent employees or only casuals. Initially, the burden or proof that these five men were appointed on permanent basis by the Management is on them and they have to satisfy the Tribunal that their appointments were permanent. We may straight away deal with the evidence on this aspect and this is solely a question of fact. Two witnesses have been examined on the side of the workmen

and they are W.W. 1 Thiru K. Ahrned Ali and W.W. 2 Thiru M. K. Damodaran. W.W. 1 was a Porter in the Airport at Madras and he claims to have joined service on 27-11-1971 and claims to be continuously working as a casual labourer. Even in his chief examination, W.W. 1 has candidly stated that he was employed as a casual till the Management declared a lockout on 24-11-1973. He even elaborated what a casual worker means. According to him, these casuals would go to the aerodrome every day in the hope of getting work, but that they will be provided with work, only if their services are required or if the work is available His evidence in chief-examination is this :

(Words in Tamil not Printed)

He then stated that there is a Duty Roster for the casuals and that work will be allotted to the casuals even in advance. According to him, there is an Attendance Register and that he was paid wages in the next succeeding month for the number of days he worked in the previous month. He added that he had even drawn over-time wages and allowances and he was given medical facilities, dress uniform and leave facilities. He produced into Court Ex. W-1 which says that he was appointed as Porter along with some others at Madras on regular casual/daily rated basis with effect from 1-6-1973 "until further orders." W.W. 1 places reliance on Ex. W-1 and contends that he was permanently appointed under this order.

9. I may straight away say there is no foundation for this contention that Ex. W-1 is an order or permanent appointment. On the other hand, as already extracted, the appointment order itself clearly describes him as employed on regular casual/daily rated basis. In this connection, the further rider in Ex. W-1, viz., "until further orders" is very significant. This is a contra indication of permanent appointment. The plain meaning of the order is that he was appointed as a Porter as a regular casual temporary, until further orders. There is nothing else on record to show that he was appointed permanently at any time. In fact, it was elicited in cross-examination that there was no recovery of Provident Fund from his wages even after the appointment under Ex. W-1. He was not given the free Air ticket given to the permanent employees nor the Holiday-home facilities which the regulars enjoy. Further, it is common ground that he and the other workmen now in dispute drew their wages only on the next month for the days they worked in the previous month. It was elicited that all the permanent employees were paid their salary at the end of the last day of the same month. W.W. 1 contends that he was given free uniform identity card, casual leave facilities, etc., but these circumstances are quite consistent with the contention of the Management that they are only regular casual labourers for whom also these elementary facilities like casual leave and medical attention are given. It may be remembered that the Management in this case is the Indian Airlines Corporation which is a Statutory body engaged in a highly sophisticated form of transport from one place to another and from one country to another. The airport where these people worked is a Protected area and they have to attend to the flights and arrivals of Airplanes and therefore identity cards and uniforms are absolutely necessary for security purposes. Therefore, nothing turns upon these incidental benefits which are extended to the casuals also.

10. The other witness is W.W. 2 Thiru M. K. Damodaran who is said to have worked as a Cabin cleaner from 15-7-1971. His co-employee Thiru K. Dayalan (Sl. No. 25) was also a Cabin cleaner employed at about the same time. Ex. M-9 is the order of his appointment by the Management dated 26th September, 1973. It may be recalled that the Management declared a lock-out on 27-11-1973 i.e. within two months after his appointment as Cabin cleaner on regular casual/daily rated basis. There is nothing in Ex. M-9 to warrant the inference or suggest that he was permanently appointed. As pointed out already, the wordings are clear and this was to be in force only "until further orders". W.W. 2 would state that he was working even prior to this appointment order under Ex. M-9, and that he enjoyed the benefits of casual leave, medical attendance, marking in the attendance register, etc. I have already stated that this by itself will not confer the status of a permanent employee on the worker. Admittedly, no recovery of Provident fund was made for this employee and it was elicited that he does not even know the scale of pay for his job. He had to concede that no such order indicating the scale of pay was ever given to him. The inference

is obvious. Further, W.W. 2 conceded in cross-examination that prior to Ex. M-9, dated 27-9-1973 there was not even an Attendance Register for him. He finally stated that he is claiming the right of permanent appointment only by virtue of Ex. M-9 which does not at all help him.

11. As against this, the oral evidence on the side of the Management is furnished by M.W. 1 Thiru Krishan Deo who is the Personnel Manager of the Indian Airlines at Madras. His evidence is that all the persons now in this dispute were employed only as casual labourers without any guaranteed employment in future. He would state that the rules and conditions of service in Indian Airlines are governed by the Indian Airlines Regulation which recites that "a permanent employee is one who has completed a prescribed probationary period and who has been confirmed thereafter as a regular member against permanent sanctioned strength". According to him, the strength of staff is determined at the Head Quarters, New Delhi, and if there are permanent vacancies, they call for applications by advertisements and they select the candidates after a regular interview. M.W. 1 then says that these persons in question were never appointed by the Management on permanent basis and that they did not even undergo any probation. There was no regular scale of pay for these casual labourers who were paid only on daily rate payable in the succeeding month. He then stated there is no provision at all for absorbing these casual workmen nor are there permanent vacancies at present to be provided for these five persons in dispute. He finally stated that they have drawn up a Panel for future vacancies in Madras Region, which is comprised of the States of Andhra Pradesh, Kerala, Karnataka and Tamil Nadu. According to him, there are large number of persons who have already worked for longer periods as casual labourers in Andhra, Kerala, etc., and therefore their claims also will have to be considered as and when vacancies arise for the posts of peons, cleaners, etc. His evidence coupled with the fact that there is no order of permanent appointment by any competent authority nor any order of confirmation for these workmen in dispute concludes the matter that these people were not permanently appointed by the Management at any time. It was pointed out on behalf of the Management that even so late as July, 1974 i.e., after the dispute had arisen, the Union representing these employees was contending before the Labour Commissioner that they should be given re-employment with continuity of service. Ex. M-17 is the Conciliation Failure Report which recites that the Union sent a lawyer notice to the Management requesting re-employment of these 35 persons. The conduct of the Union before the Labour Commissioner is very significant and it only requested re-employment or absorption for the persons who have worked continuously for some time. It is therefore futile now to contend that they were permanent employees appointed by the Management. Therefore, there is no difficulty in holding that none of these persons was appointed permanently by the Management at any time and that they were only regular casuals appointed on daily rated basis and that too temporarily, whenever there was work.

12. Mr. K. T. Palpandian, learned counsel for the employees, urged that these employees were designated by the Management itself as "regular casuals" and therefore they are regularly appointed by the Corporation and that the term "regular casual" is a contradiction in terms. The word "casual" is not defined in the Industrial Disputes Act, but we have the definition of casual workmen in Tamil Nadu Industrial Employment (Standing Orders) Rules, 1947. In the Model Standing Orders applicable to the workmen in Schedule I of the above said rules, a 'casual workman' is defined as one who is employed for some unexpected or unforeseen work, which is not likely to last continuously. Placing reliance on this definition, learned counsel argued that the work entrusted to these five employees were neither unexpected nor unforeseen, but that it lasted almost continuously. I have carefully considered this argument in the circumstances of the case before us. Ours is a peculiar case where the Management is a Statutory body, viz. Indian Airlines Corporation constituted under an Act of Parliament. The employees in the Corporation at the aerodrome are on a different footing from the other industries which we come across in every day parlance. The place of work, viz., the Air Port is a Protected area and the Corporation has to deal with several flights and departures of Airplanes and also attend to the clearance of the luggages of sophisticated

passengers like foreign tourists, top-ranking Government officers, business executives, V.I.Ps, etc. According to the Management, though there is a permanent cadre of strength for the various categories like Cabin cleaners, Loaders, etc., it is more often necessary to keep some workmen in reserve, so that they could be employed on daily rate basis whenever work is available at the Airport. It is for this purpose the Management is said to have drawn out a panel of casual employees for whom work will be entrusted as and when occasion arises on daily rate basis. For instance, when some permanent workmen go on leave or temporarily absent, the work has got to be cleared by casual labourers, for which there is a panel. The Management cannot be expected to go to the streets and call casual labourers to work in an Airport where security and safety are most important. It is submitted by the Management that they cannot call casual labourers at random from the gates and therefore they have availed a system of panel so that there may be some regularity of employment even among the casuals. This system is quite understandable and even desirable in the matter of employment at an Airport.

13. M.W. 1, the Personnel Manager, has stated that for future vacancies for the posts of Peons, Cleaners, Sweepers and Porters for the Madras Region, (comprising of Andhra, Kerala, Karnataka and Tamil Nadu) they have drawn up a panel of employees after screening them by medical examination and also by checking up their antecedents through Police enquiries. He has explained the term "regular casual" by stating that they are casuals who were regularly employed whenever there was work available in the Airport. In other words, by regular casual is meant some method in casual employment, instead of picking up persons from the gates at random. According to him, in the very nature of employment in a security area like an Airport, they have to maintain Identity Cards, Attendance Registers, etc., even for a casual worker. He further added that these casuals from the panel are employed for any additional work of a temporary nature and that the work does not last continuously. There is no reason as to why this explanation of the term "regular casual" should not be accepted, having regard to the nature and place of work in a Statutory body like the Indian Airlines Corporation. Just because these casual employees are appointed after an interview, medical examination and after checking up their antecedents, it does not conclusively show that they were permanently appointed to the respective posts. As already stated, the cadre strength of each category is fixed according to rules and the Indian Airlines at Madras have no authority to appoint persons on permanent basis over and above the sanctioned strength. M.W. 1 has stated that the Madras Region of the office has its full strength and that there are no permanent vacancies in the categories of Cabin cleaners and Porters. Therefore, whatever be the nomenclature of the employee, that is to say daily rated or casual or regular casual, these persons employed for the exigencies and additional work that arises from time to time cannot claim the status of a permanent employee in a Corporate body. I have already pointed out that there is no record to show that these employees or any of them were appointed on permanent basis. Admittedly, there was no order of confirmation of the people. On the other hand, the orders of appointment themselves show that they were only 'regular casuals' on daily rated basis and that too temporarily. (the actual wording is "until further orders"). The first aid or the medical attention given to these casual employees in the Airlines Hospital nor the supply of uniform, nor even the giving of one day off if they continuously worked for six days, will clothe them with the status of a permanent employee. As already stated, no scales of pay were ever fixed for them nor were they given the benefits of provident fund, etc. They were paid only on daily rated basis and that too on the succeeding month for the actual number of days they worked in the previous month. This is entirely different mode from what is prevailing with reference to the permanent employees who are paid fixed salaries and allowances on the last day of the same month. The result is that because the Management had chosen to call them as "regular casuals", they cannot become permanent workmen in the Corporation and the Management cannot be directed to employ them permanently contrary to the regulations and rules under which the permanent cadre of strength of Staff is fixed.

14. Learned counsel for the Union next argued that even assuming that these people are casuals, the termination of

service is not valid, since there was neither a notice of termination nor payment of compensation. In other words, the argument is that even if these persons are casuals, they are entitled to the benefits of Section 25F of the Industrial Disputes Act, as if they were retrenched from service. I have already found that these five workmen are casuals employed by the Management whenever there was work available. Therefore, they cannot be said to be in regular service and consequently the question of termination by notice does not arise. In this case, these people were appointed as regular casuals in about May, 1973, but unfortunately, there was a strike by the employees of the Corporation which resulted in the Management declaring a lockout on 24-11-1973. After the lockout was lifted, the Management did not give work to these casual employees and they were not employed after 24-11-1973. Therefore, on the facts of this case, notice of termination by the Management to the casual employees does not appear to be necessary in law.

15. However, learned counsel for the Union would contend that the casual workmen who had put in continuous service for one year as defined in Section 25B of the Industrial Disputes Act, 1947, are entitled to retrenchment compensation and therefore they must be paid at least one month's salary in lieu of notice. According to the Management, these five men in question were not in continuous service for one year in that they did not actually work for not less than 240 days during the period of 12 calendar months preceding the date. On this aspect, we have clear documentary evidence as to the number of days these five men worked. Learned counsel for the Union called for the records of the Management and scrutinised them for computing the number of days the workmen actually worked. On a careful perusal of the Attendance Registers and the Duty Roasters, it was agreed that these five workmen did not *actually* work for 240 days and that they were short by a few days. Therefore, there is no dispute that none of these five workmen has *actually* worked for 240 days. Learned counsel for the workmen would argue that, in computing the number of days, the employees must be given the benefit of the off-days also and that they must also be included. In other words, if the weekly-off is added to the number of days they worked, some of the workers would get the required number of 240 days. But the Management strenuously opposes that the weekly-off days cannot be included in the computation and that the workers must have *actually worked* for not less than 240 days, i.e., independently of the off days. This argument is in consonance with the provisions of Section 25B of the Industrial Disputes Act. For one thing, they were not in continuous or uninterrupted service for a period of one year, since they were only casuals who were given work for a certain number of days in a month. For another, the Section itself reads that the workmen must have *actually worked* under the employer for not less than 240 days. The Explanation to clause (2) of Section 25B does not enable the worker to add the weekly off days. The Explanation itself reads as follows :—

"Explanation.—For the purpose of clause (2), the number of days on which a workman has actually worked under an employer shall include the days on which—

- (i) he has been laid-off under an agreement or as permitted by standing orders made under the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), or under this Act or under any other law applicable to the industrial establishment;
- (ii) he has been on leave with full wages, earned in the previous years;
- (iii) he has been absent due to temporary disablement caused by accident arising out of and in the course of his employment; and
- (iv) in the case of a female, she has been on maternity leave; so, however, that the total period of such maternity leave does not exceed twelve weeks."

16. The result of my discussion is that the weekly-off days for these casual employees cannot be added to the number of days they actually worked under the Corporation and it follows that these five workmen are not entitled to the benefits of Section 25F of the Industrial Disputes Act. In this

connection, it is noticed that the workman Thiru M K Damodaran (No. 24) is short of 240 days by only one day, Thiru K. Dayalan (No. 25) is short by about 12 days and K. Ahmed Ali (No. 31) by some days. Of course, it is a hard case for these persons, but there is no provision in the Act to condone the deficiency and the law has to be interpreted as it stands. In this connection, learned counsel for the Management submitted that the Management is not at all vindictive or unfair and that there is not even a serious plea of victimisation or unfair labour practice. It was pointed out that out of these 35 regular casuals mentioned in the reference, a majority of the persons upto 30 have either been absorbed now or settled the matter with the Corporation. M W 1, Personnel Manager, has stated in his evidence that there are quite a number of casuals from other States like Kerala, Andhra, etc., who have put in longer service as casual workers than these five persons. According to M W 1, the Management is unable to give employment to these five persons in preference to their seniors in the category of casuals. It is common ground that Madras Region is comprised of the four Southern States of India and the Madras Office is the Unit for the Airports in the Southern States. Judged from the course of conduct of the Management and the evidence of M W. 1, it is clear that there are no *mala fide*, on the part of the Management.

17. The result is this. An Award is passed in terms of the Joint Memos of Settlements filed in respect of the workers Nos 1 to 13, 15, 17, 19, 21 to 23, 26 and 32 to 35. The Settlements are fair and reasonable and they are accepted and incorporated in the Award. In respect of these five workers now in dispute, they are only regular casuals employed on daily rated basis and the denial of employment to these persons is justified. These five workmen are not entitled to any relief or compensation, since they have not actually worked for not less than 240 days in the preceding 12 months. However, having regard to the fact that these persons were working off and on as casuals from the year 1971 and particularly in view of the fact that Thiru M. K. Damodaran (Sl No 24) and Thiru K. Dayalan (Sl No 25) and K. Ahmed Ali (No 31) fall short of the 240 days only by some days, this Tribunal recommends to the Management that they may make an ex gratia payment to them upto one month's wages as a matter of gesture and goodwill. Each party will bear his or its own costs.

Dated, this 30th day of April, 1977

T N SINGARAVLU, Presiding Officer

WITNESSES EXAMINED

For Workmen

W.W 1—Thiru K. Ahmed Ali

W.W 2—Thiru M K Damodharan

For Management .

M W. 1—Thiru Krishna Deo, Manager, Personnel Service

DOCUMENTS MARKED

For Workmen

Ex W-1/31-5-73—Order appointing Thiruvalargal N. Prasannan Nan, A Dorialai and others as Porters with effect from 1-6-1973.

Ex. W-2 series—Salary covers of Thiruvalargal K. Ahmed Ali, P S Mathai (5 covers).

Ex W-3 series—Leave application of Thiru P S Mathai dated 29-6-1971 and memo dated 27-6-1973 from the Management returning the leave application

Ex W-4 series—memos dated 23-10-73 to Thiruvalargal R. Varadhan and G Kondiah intimating their absence from work on 23-9-1973

Ex W-5 series—Identity cards of Thiru D Arumugam and another

Ex W-6/31-1-73—Order transferring the staff from City office to Air Port and Air Port to City office

Ex. W-7/20-4-72—List of candidates who are being empanelled for the post of Porters at Madras.

Ex W-8/27-12-74—Notice of the Management deciding to give option to casual workmen to opt for empanelment or for compensation

Ex W-9/21-12-72—Letter from the Airport Manager to the Medical Officer, Madras regarding injury while on duty by Thiru Ahmed Ali

Lx W-10 series—dated 17-11-73—Gratuity form and form of nomination of Thiru K Ahmed Ali

Ex W-11—Revised Duty Roster from 10-10-73 to 6-11-73 relating to Cabin and Catering Section

Fx W-12—Duty Roster from 7-11-73 to 4-12-73 relating to Cabin and Catering Section

Ex W-13/4-11-71—Letter from Personnel Manager to the Regional Director of the Management regarding employment of casual labour (copy)

Fx W-14/5-9-73—Letter from the Traffic Officer to the Deputy Personnel Manager, Madras giving attendance particulars for August, 1973 pertaining the Daily-rated-casual Porters. (copy).

Ex W 15/26-11-71—Circular communicating the rules applicable to casual labour for payment (copy)

For Management .

Ex M-1/9-9-70—Employment notice inviting applications for the posts of Porters

Ex 2/19-5-71—Letter from the General Administration Department to the Commercial Manager furnishing the names of selected candidates for the post of Porters

Fx M-3/6-4-71—Minutes of Recruitment Board held on 12th and 13th March and 5th April, 1971 for selecting candidates for post of Cabin Cleaners

Ex M-4/20-4-72—List of candidates who are being empanelled for the post of porters

Ex M-5/8-1-73—Appointment order for the post of porters

Ex M-6/31-5-73—do—

Ex M-7/19-6-73—Appointment order issued to Thiru M Jesudos Lazarus.

Ex M 8/23-8-73—Appointment order for the post of Porters,

Ex M-9/27-9-73—Appointment order for the post of Cabin cleaners

Ex M-10/6-6-72—Appointment order for the post of Porters

Ex M 11/24-1-73—Order of confirmation issued to Thiru M Dhanasekaran and others.

Ex M-12—Extract of service rules regarding probation of the workers. (copy).

Ex M 13/23-11-73—Lock out noticed issued by the Management

Ex M-14/30-12-74—Letter from D. Arumugam to the Management giving option for inclusion of his name in the panel for filling up vacancies in future

Ex M-15/31-12-74—Letter from M Sam to the Management giving option for inclusion of his name in the panel for filling up vacancies in future

Ex M-16/3-1-75—Letter from Thiru P S Mathai to the Management giving option for inclusion of his name in the panel for filling up vacancies in future

Ex M-17/6-1-75—Letter from Thiru S Balasubramanian to the Management giving option for inclusion of his name in the panel for filling up vacancies in future

Ex M-18/ -1-75—Letter from Thiru R Varadan to the Management giving option for inclusion of his name in the panel for filling up vacancies in future

Fx M-19/2-1-75—Letter from Thiru G Kondiah to the Management giving option for inclusion of his name in the panel for filling up vacancies in future.

- Ex. M-20/18-2-75—Letter from Thiru M. Maniraj accepting the offer of compensation.
- Ex. M-21—Letter from Thiru K. Dickaram to the Management giving option for inclusion of his name in the panel for filling up vacancies in future.
- Ex. M-22/6-1-75—Letter from Thiru C. Rajamani to the Management giving option for inclusion of his name in the panel for filling up vacancies in future.
- Ex. M-23/11-1-75—Letter from Thiru B. Thrinath to the Management accepting the offer of compensation.
- Ex. M-24/31-12-74—Letter from Thiru N. Mani to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-25/20-1-75—Letter from Thiru Jasudoss Lazaras to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-26/2-1-75—Letter from Thiru C. Polaiah to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-27/2-1-75—Letter from Thiru R. Thangadurai to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-28—Letter from Thiru N. Prasannan Nair to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-29/3-2-75—Letter from Thiru K. Ahmed Ali to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-30/27-1-75—Letter from Thiru P. Govindan to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-31/15-1-75—Letter from Thiru V. Vaithinathan to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-32/31-12-74—Letter from Thiru P. Sukumaran to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-33—Letter from Thiru L. Susairaj to the Management opting for inclusion of his name in the panel for filling up of vacancies in future.
- Ex. M-34/1-4-75—Stamped voucher for Rs. 637.50 passed by Thiru M. Maniraj being the payment in full and final settlement of all claims.
- Ex. M-35/4-4-75—Stamped voucher for Rs. 382.50 passed by Thiru B. Thirunath being the payment in full and final settlement of all claims.
- Ex. M-36/20-10-75—Memo by Thiru N. Prasannan Nair for not pressing the claim.
- Ex. M-37/7-74—Conciliation failure report.
- Ex. M-38—List showing the date of first engagement of the workmen.
- Ex. M-39 series—Statements showing details of no. of days worked in the months by the workmen (34 sheets).
- Ex. M-39(a)—Statement giving details of no. of days worked by Thiru M. K. Damodaran.
- Ex. M-39(b)—Statement showing the details of no. of days worked by Thiru K. Dayalan.
- Ex. M-39(c)—Statement showing the details of no. of days worked by Thiru A. Dorairaj.
- Ex. M-39(d)—Statement showing the details of no. of days worked by Thiru S. Sundaramurthy.
- Ex. M-39(e)—Statement showing the details of no. of days worked by Thiru Ahmed Ali.
- Ex. M-40/9-9-70—List of candidates who have been selected for the post of porters (copy).
- Ex. M-41/19-5-71—List of candidates who have been selected for the post of porters (copy).
- Ex. M-42/18-5-73—Employment notice calling for applications for the post of Porters at Cochin.
- Ex. M-43/24-5-73—Requisition form to the Employment Exchange calling for applicants to recruitment.
- Ex. M-44/24-5-73—Application by Thiru T. Krishnan for appointment as Porter.
- Ex. M-45/28-5-73—Application of Thiru P. Sivan for appointment as Porter.
- Ex. M-46/20-8-73—Minutes of the Recruitment Board for selecting Porter for Cochin.
- Ex. M-47/19-7-73—Appointment order issued to Thiru V. S. Jayaram for the post of Porter at Cochin.
- Ex. M-48/14-8-73—Appointment order issued to Thiru C. John and others for the post of Porter at Cochin.
- Ex. M-49/27-9-73—Appointment order issued to Thiru N. V. George and P. Shivan for the post of Porter at Cochin.
- Ex. M-50/6-6-72—Appointment order issued to Thiru K. Prabhakaran and others for the post of porters at Madras. (copy).
- Ex. M-51/17/24-73—Order of confirmation of Thiru M. Dhanasekaran and others. (copy).
- Ex. M-52—Extract of service rule regarding probation of workers. (copy).
- Ex. M-53/6-3-74—Letter from the Management at Cochin to the Employment Exchange, Cochin stating that they have discontinued the engagement of casual labourers.
- Ex. M-54/23-11-73—Lock out notice issued by the Management. (copy).
- Ex. M-55—Joint Memorandum by the workers at Cochin to the Regional Director of the Management for allowing them for duty.
- Ex. M-56/15-1-75—Letter from Thiru C. John to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-57/21-1-75—Letter from Thiru T. M. George to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-58/15-1-75—Letter from Thiru A. C. Purushothaman to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-59/11-1-75—Letter from Thiru V. S. Jayaram to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-60/15-1-75—Letter from Thiru N. V. George to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-61/17-1-75—Letter from Thiru P. Sivan to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-62/13-1-75—Letter from Thiru T. Krishnan to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-63/13-1-75—Letter from Thiru V. K. Murugan to the Management opting for inclusion of his name in the panel for filling up vacancies.
- Ex. M-64/10-3-75—Conciliation failure report in respect of I.D. No. 60 of 1975.
- Ex. M-65—List showing the date of first engagement of workmen in the Management (Company).
- Ex. M-66 series—Statements showing the details of number of days worked by the workmen in I.D. No. 60 of 1975 (8 sheets).
- Ex. M-67/5-12-75—Memorandum of Thiru C. Rajamani for withdrawing the claim in the dispute (worker 18).

- Ex. M-68.—Memorandum of Thiru B. Sundaramoorthy for dismissing the claim. (Worker No. 30).
- Ex. M-69/1-11-76.—Memorandum of settlement u/s. 18(1) of the I.D. Act, 1947 between the Management and the workers Nos. 1, 2, 6, 7, 8, 9, 10, 11, 12, 13.
- Ex. M-70/20-12-76.—Memorandum of settlement u/s. 18(1) of the I.D. Act, 1947 between the Management and the worker No. 19.
- Ex. M-71/18-12-76.—Memorandum of settlement u/s. 18(1) of the I.D. Act, 1947 between the Management and worker Nos. 15, 17, 21, 22, 23, 26, 32, 33, 34, 35.
- Ex. M-72.—Attendance Register for Loaders for the period from December 1972 to July, 1973.
- Ex. M-73.—Attendance Register for Loaders for the period from August, 1973 to November, 1973.
- Ex. M-74.—Attendance Register for Casual Labourers for the period from November, 1972 to October, 1973.
- Ex. M-75.—Salary Register of Casual Labour for the year 1970-71.
- Ex. M-76.—Salary Register of Casual Labour for the year 1971-72.
- Ex. M-77.—Register of wages of casual labour for the year 1972-73.
- Ex. M-78.—Register of wages of casual labour for the year 1973-74.
- Ex. M-79.—Duty roster-casual-cargo Section from 1-4-72 to 31-3-73.
- Ex. M-80.—Duty roster-casual-cargo Section from 1-4-73 to 23-11-73.
- Ex. M-81.—Duty roster-passenger handling section from 28-6-73 to 8-10-73.
- Ex. M-82 series.—Ex-gratia payment vouchers relating to casual labour for the year 1970-71.
- Ex. M-83 series.—Ex-gratia payment vouchers relating to casual labour for the year 1971-72.
- Ex. M-84 series.—Ex-gratia payment vouchers for the year 1972-73 relating to casual labour.
- Ex. M-85 series.—Ex-gratia payment vouchers for the year 1973-74 relating to casual labour.
- Ex. M-86.—Attendance Register of casual employees at Cochin office for the period from August, 1971 to October, 1972.
- Ex. M-87.—Attendance Register of casual employees at Cochin Office for the period from November, 1972 to October, 1973.
- Ex. M-88.—File containing the pay slips of casual employees from February, 1973 to March, 1973.
- Ex. M-89.—File containing the pay slips of casual employees from April, 1973 to July, 1973.
- Ex. M-90.—File containing the pay slips of casual employees from August, 1973 to October, 1973.
- Ex. M-91.—File containing the pay slips of casual employees from November, 1973 to December, 1973.
- Ex. M-92.—File containing the pay slips of casual employees from January, 1974 to April, 1974.
- Ex. M-93.—Duty roster of casual employees from 1-4-70 to 30-9-71.
- Ex. M-94.—Duty roster of casual employees from 1-10-71 to 31-3-73.
- Ex. M-95.—Duty roster of casual employees from 1-4-73 to 23-11-73.
- Ex. M-96 series.—Ex-gratia payment vouchers of casual employees at Cochin for the year 1972-73.
- Ex. M-97.—Statement showing the details of number of days worked by Thiru V. K. Vijayan Unni in October, 1971 to November, 1973.
- Ex. M-98/29-8-73.—Leave application of Thiru K. Ahmed Ali. (for grant of 2 days' sick leave).
- Ex. M-99/29-8-73.—Leave application of Thiru K. Ahmed Ali. (for grant of one day's casual leave).
- Ex. M-100/29-8-73.—Leave application of Thiru K. Ahmed Ali. (for grant of one day's casual leave).
- Ex. M-101.—List of duties to be carried over by Cabin cleaner.
- Ex. M-102/7-6-71.—Order showing the number of posts in each category that can be operated during the financial year 1971-72.
- Ex. M-103/8-10-73.—Medical Certificate issued to Thiru M. K. Damodharan.
- Ex. M-104/7-11-73.—Medical Certificate issued to Thiru K. Dhayalan.
- Ex. M-105/15-3-72.—Medical Certificate issued to Thiru G. Ramamurthy.
- Ex. M-106.—Monthly attendance record for the month of October, 1973.
- Ex. M-107/27-9-73.—Order appointing Tvl S. Balasubramaniam, M. K. Damodharan and others as Cabin Cleaners.
- Ex. M-108/9-2-77.—Memorandum of settlement u/s. 18(1) r/w. Sec. 2(p) of the I.D. Act, 1947 between the Management and worker Nos. 3, 4 and 5.
- Ex. M-109/22-10-71.—Letter from the Personnel Manager sanctioning the strength of posts in each category.
- Ex. M-110/12-9-72.—Letter from the Commercial Manager sanctioning the strength of posts in each category for Tirupathi.

T. N. SINGARAVELU, Presiding Officer

**ANNEXURE
BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL AT MADRAS
I.D. No. 29 of 1975**

S/Shri

- (i) S. Edward
- (ii) V. Gangadharan
- (iii) N. Paramanandam
- (iv) D. Arumugam
- (v) P. Govindaswamy
- (vi) M. Sam
- (vii) K. Elumalai
- (viii) R. Varadhan
- (ix) S. Sundararajan
- (x) S. Sampath

— Petitioners.

Vs.

Management of Indian Airlines,
Madras.

— Respondent.

The above mentioned petitioners and the Respondent respectfully submit as under :

That the parties have on 1st November 1976 entered into a settlement under Section 18(1) read with Sec. 2(p) of the Industrial Disputes Act, 1947. A copy of the settlement is enclosed and marked Annexure 'A'.

The parties pray that this Hon'ble Tribunal may be pleased to make an award in terms of the aforesaid settlement.

For Indian Airlines.
Sd/-.....
1-11-76.
Manager,
Personnel Services,
Madras.

Signature of the workmen.

- (i) S. Edward
— Sd/-.....
- (ii) V. Gangadharan
— Sd/-.....
- (iii) N. Paramanandam
— Sd/-.....
- (iv) D. Arumugam
— Sd/-.....
- (v) P. Govindaswamy
— Sd/-
- (vi) M. Sam
— Sd/-.....
- (vii) K. Elumalai
— Sd/-.....
- (viii) R. Varadhan
— Sd/-.....
- (ix) S. Sundararajan
— Sd/-.....
- (x) S. Sampath
— Sd/-.....

MEMORANDUM OF SETTLEMENT UNDER SEC. 18(1)
READ WITH SECTION 2(p) OF THE INDUSTRIAL
DISPUTES ACT, 1947

Name of parties :

1. Employer

: Indian Airlines represented by Sri Krishan Dev, Manager, Personnel Services, Indian Airlines, Madras.

2. S/Shri

- (i) S. Edward
- (ii) V. Gangadharan
- (iii) N. Paramanandam
- (iv) D. Arumugam
- (v) P. Govindaswamy
- (vi) M. Sam
- (vii) K. Elumalai
- (viii) R. Varadhan
- (ix) S. Sundararajan
- (x) S. Sampath. : Workmen.

Whereas Indian Airlines had engaged the above mentioned workmen purely on casual and daily rated basis depending upon day to day requirement of work at Madras and its other stations.

And whereas Indian Airlines were constrained to declare a lock-out with effect from 24-11-1973 following an illegal strike which was commenced by the employees of the Corporation.

And whereas subsequently the lock-out was lifted.

And whereas after lifting the lock-out Indian Airlines found that its permanent staff was more than ample to meet its requirements.

And whereas in consequence the above mentioned daily rated casual workmen could not be offered any work after lifting of the lock-out.

And whereas the said workmen raised a dispute under the Industrial Disputes Act, 1947 alleging non-employment by Indian Airlines.

And whereas on failure of conciliation the said dispute was referred for adjudication by the Central Government by Order No. L-11011/17/74-I.R. III/D. II B dt. 11-4-75 of the Ministry of Labour, Government of India, originally to Shri T. Palaniappan (duly constituted as Central Government Industrial Tribunal).

And whereas the said dispute has been numbered as I.D. No. 29 of 1975 and is now pending before Shri T. N. Singaravelu, Industrial Tribunal, Madras. (as Central Government Tribunal) consequent upon the retirement of Shri T. Palaniappan.

And whereas during the pendency of the said dispute a certain number of permanent vacancies in the cadre of loader have arisen in Indian Airlines.

And whereas along with others the above mentioned workmen were also called for interview to adjudge their suitability for regular employment in Indian Airlines.

And whereas on the basis of the oral test and the interview, the above mentioned workmen who are parties to this settlement have been found suitable for the job of loader in Indian Airlines.

And whereas the above mentioned workmen no longer wish to prosecute their claims any more in I.D. No. 29 of 1975 and in this view the parties hereto agree as follows :

TERMS OF SETTLEMENT :

- (1) Indian Airlines agree to appoint the above mentioned workmen namely S/Shri S. Edward, V. Gangadharan, N. Paramanandam, D. Arumugam, P. Govindaswamy, M. Sam, K. Elumalai, R. Varadhan, S. Sundararajan and S. Sampath as loaders against regular vacancies with effect from the date they join Indian Airlines.
- (2) The above appointment is subject to their being found medically fit for the job of a loader and further subject to service regulations framed/amended by Indian Airlines from time to time for their employees.
- (3) The above mentioned workman agree to withdraw their claim in I.D. No. 29 of 1975 on the file of Shri T. N. Singaravelu (duly constituted as Central Government Industrial Tribunal) and to submit a joint petition along with Indian Airlines to the said Central Government Industrial Tribunal requesting that an award may be made by the said Tribunal dismissing their claim without costs.
- (4) The above mentioned workmen agree not to make any claim whatsoever against India Airlines in respect of the alleged non-employment prior to their present appointment.

Madras,

Dated the 1st November, 1976.

Witness :

1. Sd/-.....
(S. K. Ghosh).
2. Sd/-.....

Witness :

1. Sd/-.....
2. Sd/-.....
(K. V. Varghese)

Signature of the parties.

for Indian Airlines

Sd/-.....

Manager,

Personnel Services,

Madras.

Workmen

(i) S. Edward

— Sd/-.....

(ii) V. Gangadharan

— Sd/-.....

(iii) N. Paramanandam

— Sd/-.....

(iv) D. Arumugam

— Sd/-.....

(v) P. Govindaswamy

— Sd/-.....

(vi) M. Sam

— Sd/-.....

(vii) K. Elumalai

— Sd/-.....

(viii) R. Varadhan

— Sd/-.....

(ix) S. Sundararajan

— Sd/-.....

(x) S. Sampath

— Sd/-.....

**BEFORE THE CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL AT MADRAS
I.D. No. 29 of 1975**

Shri V. K. Vijayan Unni—Petitioner

—Of—

Management of Indian Airlines Madras—Respondent

The above mentioned petitioner and the respondent respectfully submit as under :

That the parties have on 20th December, 1976 entered into a settlement under Section 18(1) read with Sec. 2(p) of the Industrial Disputes Act, 1947. A copy of the settlement is enclosed and marked Annexure 'A'.

The parties pray that this Hon'ble Tribunal may be pleased to make an award in terms of the aforesaid settlement.

For Indian Airlines.

Sd/-.....

Manager,

Personnel Services,

Madras.

Signature of the workman

V. K. Vijayan Unni

Annexure 'A'

MEMORANDUM OF SETTLEMENT UNDER SEC.

**18(1) READ WITH SECTION 2(p) OF THE
INDUSTRIAL DISPUTES ACT
1947.**

Name of parties :

1. Employer—Indian Airlines represented by Shri Krishan Dev, Manager, Personnel Services, Indian Airlines, Madras.

2. V. K. Vijayan Unni—Workman.

Whereas Indian Airlines has engaged the above mentioned workman purely on casual and daily rated basis depending upon day to day requirement of work at Madras and its other stations.

And whereas Indian Airlines were constrained to declare a lock-out with effect from 24-11-73 following an illegal strike which was commenced by the employees of the Corporation.

And whereas subsequently the lock-out was lifted.

And whereas after lifting the lock-out Indian Airlines found that its permanent staff was more than ample to meet its requirements.

And whereas in consequence the above mentioned daily rated casual workman could not be offered any work after lifting of the lock-out.

And whereas the said workman raised a dispute under the Industrial Disputes Act, 1947 alleging non-employment by Indian Airlines.

And whereas on failure of conciliation the said dispute was referred for adjudication by the Central Government by Order No. L 11011/17/74-LR. III/D. IIB dated 11-4-75 of the Ministry of Labour, Government of India, originally to Shri T. Palaniappan (duly constituted as Central Government Industrial Tribunal).

And whereas the said dispute has been numbered as I.D. No. 29 of 1975 and is now pending before Shri T. N. Singaravelu, Industrial Tribunal, Madras (as Central Government Tribunal) consequent upon the retirement of Shri T. Palaniappan.

And whereas during the pendency of the said dispute a certain number of permanent vacancies in the cadre of loader have arisen in Indian Airlines.

And whereas alongwith others the above mentioned workman was also called for interview to adjudge his suitability for regular employment in Indian Airlines.

And whereas on the basis of the oral test and the interview, the above mentioned workman who is party to this settlement has been found suitable for the job of loader in Indian Airlines.

And whereas the above mentioned workman no longer wish to prosecute his claim any more in I.D. No. 29 of 1975 and in this view the parties hereto agree as follows :

TERMS OF SETTLEMENT

1. Indian Airlines agree to appoint the above mentioned workman namely Shri V. K. Vijayan Unni as loader against regular vacancy with effect from the date he joins Indian Airlines.

2. The above appointment is subject to his being found medically fit for the job of a loader and further subject to service regulations framed/amended by Indian Airlines from time to time for their employees.
3. The above mentioned workman agrees to withdraw his claim in I.D. No. 29 of 1975 on the file of Shri T. N. Singaravelu (duly constituted as Central Government Industrial Tribunal) and to submit a joint petition alongwith Indian Airlines to the said Central Government Industrial Tribunal requesting that an award may be made by the said Tribunal dismissing his claim without costs.
4. The above mentioned workman agrees not to make any claim whatsoever against Indian Airlines in respect of the alleged non-employment prior to his present appointment.

Madras,

20-12-76

Witness :

1. Sd/-.....
2. Sd/-.....

Witness :

1. Sd/-.....
2. Sd/-.....

Signature of the parties,
for Indian Airlines.

Sd/-.....

Manager,
Personnel Services,
Madras.

Workman
Sd/-.....

V. K. Vijayan Unni

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT MADRAS

I.D.No. 29 of 1975

S/Shri

- (i) N. Mani
- (ii) J. Lazaras
- (iii) P. Govindan
- (iv) C. Poliah
- (v) G. Kondiah
- (vi) V. Vaidyanathan
- (vii) P. Sukumaran
- (viii) L. Susai Raj
- (ix) K. Dikkaram

35GI77/—12

(x) R. Thangadorai—Petitioners.

Vs.

Management of Indian Airlines, Madras.—Respondent.

The above mentioned Petitioners and the Respondent respectfully submit as under :

That the parties have on 18th December, 1976, entered into a settlement under Section 18(1) read with Sec.2(p) of the Industrial Disputes Act, 1947. A copy of the settlement is enclosed and marked Annexure 'A'.

The parties pray that this Hon'ble Tribunal may be pleased to make an award in terms of the aforesaid settlement.

For Indian Airlines

Sd/-.....

Manager,

Personnel Services,

Madras

Signature of the workmen

- (i) N. Mani.—Sd/-.....
- (ii) J. Lazaras.—Sd/-.....
- (iii) L. Susai Raj.—Sd/-.....
- (iv) P. Govindan.—Sd/-.....
- (v) C. Poliah.—Sd/-.....
- (vi) G. Kondiah.—Sd/-.....
- (vii) V. Vaidyanathan.—Sd/-.....
- (viii) P. Sukumaran.—Sd/-.....
- (ix) K. Dikkaram.—Sd/-.....
- (x) R. Thangadorai.—Sd/-.....

ANNEXURE 'A'

MEMORANDUM OF SETTLEMENT UNDER SEC.

18(1) READ WITH SECTION 2(p) OF THE
INDUSTRIAL DISPUTES ACT, 1947.

Name of parties :

- 1. Employer.—Indian Airlines represented by Shri Krishan Dev, Manager, Personnel Services, Indian Airlines, Madras.
- 2. S/Shri
 - (i) N. Mani
 - (ii) J. Lazaras
 - (iii) L. Susai Raj
 - (iv) P. Govindan
 - (v) C. Poliah

- (vi) G. Kondiah
- (vii) V. Vaidyanathan
- (viii) P. Sukumaran
- (ix) K. Dikkaram
- (x) R. Thangadorai.—Workmen.

Whereas Indian Airlines had engaged the above mentioned workmen purely on casual and daily rated basis depending upon day to day requirement of work at Madras and its other stations.

And whereas Indian Airlines were constrained to declare a lock-out with effect from 24-11-73 following an illegal strike which was commenced by the employees of the Corporation.

And whereas subsequently the lock-out was lifted.

And whereas after lifting the lock-out Indian Airlines found that its permanent staff was more than ample to meet its requirements.

And whereas in consequence the above mentioned daily rated casual workmen could not be offered any work after lifting of the lock-out.

And whereas the said workmen raised a dispute under the Industrial Disputes Act, 1947 alleging non-employment by Indian Airlines.

And whereas on failure of conciliation the said dispute was referred for adjudication by the Central Government by Order No. L. 11011/17/74-LR.III/D.II B dated 11-4-75 of the Ministry of Labour, Government of India, originally to Shri T. Palaniappan (duly constituted as Central Government Industrial Tribunal).

And whereas the said dispute has been numbered as I.D.No. 29 of 1975 and is now pending before Shri T. N. Singaravelu, Industrial Tribunal, Madras (as Central Government Tribunal) consequent upon the retirement of Shri T. Palaniappan.

And whereas during the pendency of the said dispute a certain number of permanent vacancies in the cadre of loader have arisen in Indian Airlines.

And whereas alongwith others the above mentioned workmen were also called for interview to adjudge their suitability for regular employment in Indian Airlines.

And whereas on the basis of the oral test and the interview, the above mentioned workmen who are parties to this settlement have been found suitable for the job of loader in Indian Airlines.

And whereas the above mentioned workmen no longer wish to prosecute their claims any more in I.D.No.29 of 1975 and in this view the parties hereto agree as follows :

TERMS OF STATEMENT

1. Indian Airlines agree to appoint the above mentioned workmen namely S/Shri M. Mani, J. Lazaras, L. Susai Raj, P. Govindan, C. Poliah, G. Kondiah, V. Vaidyanathan, P. Sukumaran, K. Dikkaram and R. Thangadorai as loaders against regular vacancies with effect from the date they join Indian Airlines.
2. The above appointment is subject to their being found medically fit for the job of a loader and further subject to service regulations framed/amended by Indian Airlines from time to time for their employees.
3. The above mentioned workmen agree to withdraw their claim in I.D.No.29 of 1975 on the file of Shri T. N. Singaravelu (duly constituted as Central Government Industrial Tribunal) and to submit a joint petition alongwith Indian Airlines to the said Central Government Industrial Tribunal requesting that an award may be made by the said Tribunal dismissing their claim without costs.
4. The above mentioned workmen agree not to make any claim whatsoever against Indian Airlines in respect of the alleged non-employment prior to their present appointment.

Madras, 18-12-76

Witness :

- 1. Sd/-.....
- 2. Sd/-.....

Witness

- 1. Sd/-.....
- 2. Sd/-.....

Signature of the parties.

for Indian Airlines.

Sd/-.....

Manager,

Personnel Services,

Madras.

Workmen

- (i) N. Mani—Sd/-.....
- (ii) J. Lazaras—Sd/-.....
- (iii) L. Susai Raj—Sd/-.....
- (iv) P. Govindan—Sd/-.....
- (v) C. Poliah—Sd/-.....
- (vi) G. Kondiah—Sd/-.....
- (vii) V. Vaidyanathan—Sd/-.....
- (viii) P. Sukumaran—Sd/-.....
- (ix) K. Dikkaram—Sd/-.....
- (x) R. Thangadorai—Sd/-.....

BEFORE THE CENTRAL GOVT INDUSTRIAL
TRIBUNAL AT MADRAS

I D No 29 of 1975

S/Shri

- 1 R Samraj
2 S Balasubramaniam

3 P S Mathai alias P S Mani

Petitioners

Vs

Management of Indian Airlines

Madras

Respondent

The above mentioned petitioners and the Respondent respectively submit as under

That the parties have on 9th February, 1977 entered into a settlement under Section 18(1) read with Sec 2(p) of the Industrial Disputes Act, 1947 A copy of the settlement is enclosed as marked Annexure 'A'

The parties pray that this Hon'ble Tribunal may be pleased to make an award in terms of the aforesaid settlement

Signature of the
workmen

For INDIAN AIRLINES

Sd/

- 1 R Samraj —Sd/
2 S Balasubramaniam Sd/
3 P S Mathai alias
P S Mani Sd/

MEMORANDUM OF SETTLEMENT UNDER SEC 18(1)
READ WITH SECTION 2(p) OF THE INDUSTRIAL
DISPUTES ACT 1947

Names of parties

- 1 Employer—Indian Airlines represented by Shri Krishan Dev, Manager, Personnel Services, Indian Airlines, Madras
- 2 S/Shri
(i) S Balasubramaniam
(ii) P S Mathai alias P S Mani
(iii) R Samraj —Workmen

Whereas Indian Airlines had engaged the above mentioned workmen purely on casual and daily rated basis depending upon day to day requirement of work at Madras and its other stations

And whereas Indian Airlines were constrained to declare a lock-out with effect from 24.11.73 following an illegal strike which was commenced by the employees of the Corporation

And whereas subsequently the lock out was lifted

And whereas after lifting the lock out Indian Airlines found that its permanent staff was more than ample to meet its requirements

And whereas in consequence the above mentioned daily rated casual workmen could not be offered any work after lifting of the lock out

And whereas the said workmen raised a dispute under the Industrial Disputes Act, 1947 alleging non-employment by Indian Airlines

And whereas on failure of conciliation the said dispute was referred for adjudication by the Central Government by Order No L 11011/17/74-LR III/D II(B) dated 11.4.75 of the Ministry of Labour, Government of India, originally to Shri T Palaniappan (duly constituted as Central Government Industrial Tribunal)

And whereas the said dispute has been numbered as I D No 29 of the 1975 and is now pending before Shri T N Singaravelu, Industrial Tribunal, Madras (as Central Government Tribunal) consequent upon the retirement of Shri T Palaniappan

And whereas during the pendency of the said dispute a certain number of permanent vacancies in the cadre of loader/sweeper have arisen in Indian Airlines

And whereas along with others the above-mentioned workmen were also called for interview to adjudge their suitability for regular employment in Indian Airlines

And whereas on the basis of the oral test and the interview the above-mentioned workmen who are parties to this settlement have been found suitable for the job of loader or sweeper as the case may be in Indian Airlines

And whereas the above-mentioned workmen no longer wish to prosecute their claims any more in I D No 29 of 1975 and in this view the parties hereto agree as follows —

TERMS OF SETTLEMENT

1 Indian Airlines agree to appoint the above-mentioned workmen namely S/Shri S Balasubramaniam and P S Mathai alias P S Mani as loaders, and R Samraj as Sweeper against regular vacancies with effect from the date they join Indian Airlines

2 The above appointment is subject to them being found medically fit for the job of a loader/sweeper and further subject to service regulations framed/amended by Indian Airlines from time to time for their employees

3 The above-mentioned workmen agree to withdraw their claim in I D No 29 of 1975 on the file of Shri T N Singaravelu (duly constituted as Central Government Industrial Tribunal) and to submit a joint petition alongwith Indian Airlines to the said Central Government Industrial Tribunal requesting that an award may be made by the said Tribunal dismissing their claim without costs

4 The above-mentioned workmen agree not to make any claim whatsoever against Indian Airlines in respect of the alleged non-employment prior to their present appointment

Madras,

9th February, 1977.

Signature of the Parties
Indian Airlines

Sd/

Witness

- 1 Sd/- ..
2 Sd/
C/o Indian Airlines, Madras-27,

Witness

- 1 Sd/- ..
(C I Soundararajan)
2 Sd/- ..
(K V Varghese)

Workmen

- 1 S Balasubramaniam
Sd/-
2 P S Mathai
Sd/-
alias P S Mani —
3 R Samraj
Sd/

T N Singaravelu Presiding Officer
[No L 11011/17/74-LR III/D II(B)]

HARBANS BAHADUR, Desk Officer

नई दिल्ली,

का० आ० 1979.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) को धारा 36 के अनुभरण में, कर्मचारी राज्य बीमा निगम के वर्ष आय

कर्मचारी राज्य बीमा निगम का
31 मार्च, 1975 को समाप्त

गत वर्ष (1973-74)	लेखा के शीर्ष	राशि	योग
		रुपये	रुपये
अंशदात्रों के द्वारा			
20,37,86,214	नियोजकों तथा कर्मचारियों का अंशदाता	60,34,74,995	
21,41,95,502	केवल नियोजकों का अंश	2,16,80,542	
22,76,57,964	केवल कर्मचारियों का अंश	1,00,74,058	
64,56,39,680	कुल अंशदाता		63,52,29,595
19,90,000	निगम द्वारा विकित्सा हितलाभ पर प्रारम्भिक रूप से किये गये व्यय में राज्य सरकारों/ संघ राज्यों का अंश	22,50,000	22,50,000
2,26,70,415	सहायक अनुदान	—	
1,14,512	राजस्व के अन्य शीर्ष	3,47,90,454	
7,75,511	व्याज तथा सार्वांश अनिपूर्ति किराया महसूल नथा कर 1. निगम के कार्यालय (स्टाफ बवार्टरो महित) 2. हस्पताल, डिस्वेंसरियो और स्टाफबवार्टरों	1,55,75,398	
94,868	शुल्क जुर्माना नथा अधिहरण	5,58,488	
10,91,462	विविध	11,82,59,511	
4,61,46,814	राजस्व के अन्य शीर्षों का योग	93,042	29,63,122
		7,22,40,015	

9 मई, 1977

1974-75 संबंधी परीक्षित लेखन तथा उनके मध्यमे सेक्वेन्यु-परीक्षा रिपोर्ट आम मूचना के निम्न प्रकाशित की जाती है :—

वर्ष 1974-75 का सेक्वेन्यु

दुए वर्ष की भाय तथा व्यय

परिणाम 'क'
व्यय

गत वर्ष 1973-74	लेखा के शीर्ष	राशि	योग
रुपये		रुपये	रुपये
	1. बीमाकृत व्यक्तियों तथा उनके परिवारों का हितलाभ		
	अ—चिकित्सा हितलाभ		
23,44,37,159	(1) चिकित्सा तथा उपचार तथा मातृत्व सुविधाओं प्राप्ति पर गज्य में होने वाले व्यय में निगम के प्रश्न को गज्य भरकारों आदि की प्रदायणी।	24,98,12,608	
	कम— गज्य भरकारों को व्यय के मध्य चिकित्सा सुविधा संबंधी भुगतान जो पूजीगत निर्माण/चिकित्सा (सचिव) दायित्व आरक्षित निधि का हस्तानरित।		
23,44,37,459	(2) चिकित्सा उपचार व सुविधा व मातृत्व सुविधाएं (निगम हारा प्रत्यक्ष रूप से वहन किया गया व्यय)	24,98,12,608	
1,25,98,648		1,51,80,636	
24,70,36,107	कुल—अ—चिकित्सा हितलाभ		26,49,93,244
	ब—नकद लाभ		
11,87,85,496	1. बीमारी हितलाभ	11,35,36,831	
1,11,35,672	2. विस्तरित बीमारी हितलाभ	1,14,56,000	
80,51,712	3. मातृत्व हितलाभ	86,03,268	
	4. अपगता हितलाभ		
2,29,47,535	क. स्थायी	2,07,65,636	
3,03,95,000	ख. अस्थायी (पूजीकृत मूल्य)	3,42,19,000	
1,12,73,000	5. आक्षितजन हितलाभ (पूजीकृत मूल्य)	93,97,000	
9,27,997	6. अस्त्येष्टि हितलाभ	8,96,653	
20,35,16,412	कुल—ब—नकद लाभ		19,88,74,388
	स-अन्य हितलाभ :		
52,082	(क) अपेंग बीमाकृत व्यक्तियों के पुनर्वापि पर व्यय	74,890	
2,39,841	(ख) चिकित्सा भड़त तथा अपोल अधिकारण	2,44,176	
	(ग) बीमाकृत व्यक्तियों को अदायणी :—		
96,146	1. सरकारी शुल्क तथा/या मजबूरी की हानि	1,14,139	
	2. परिवार नियोजन के अन्तर्गत प्राप्तिक व्यय		
3,00,000	(घ) साधायक अनुदान		
2,47,737	(ङ) विविध	2,25,523	
9,35,806	योग स—अन्य हितलाभ		6,58,728
	बीमाकृत व्यक्तियों व उनके परिवारों के		
45,14,88,325	लिये कुल लाभ		46,45,26,360
	2. प्रशासन व्यय :		
	अ—अधीक्षण		
36,404	1. निगम, स्थायी समिति, लेनदेन मडल आदि	69,556	
2,06,577	2. प्रधान अधिकारी	1,81,013	
27,26,372	3. अन्य अधिकारी	36,64,180	
1,51,77,672	4. लिपिक वर्गीय स्थापना	1,97,92,448	
27,00,629	5. चतुर्थ श्रेणी कर्मचारी	35,21,247	
41,69,292	6. आकस्मिक व्यय	79,34,854	
2,50,16,946	योग अ—अधीक्षण		3,51,63,298
	ब—लेनदेन व्यय		
7,16,919	1. अधिकारी	9,87,722	
1,59,63,425	2. लिपिक वर्गीय स्थापना	1,99,03,554	
26,34,299	3. चतुर्थ श्रेणी कर्मचारी	33,81,517	
18,74,009	4. आकस्मिक व्यय	21,55,958	
2,11,88,652	योग व—लेनदेन व्यय		2,64,28,751
49,76,93,923	ग्रामे से जाया गया योग		52,61,18,409

गत वर्ष
(1973-74)

लेखा के शीर्ष

रुपये
69,37,76,494 पीछे से लाया गया योग

राशि

योग

रुपये
70,97,19,610

69,37,76,494 महा योग

70,97,19,610

नई दिल्ली,
दिनांक 31 मई, 1975

गत वर्ष
(1973-74)

लेखा के शीर्ष

गणि

योग

रुपये

रुपये

52,61,18,409

19,76,93,923 पीछे से लाया गया याग

संग्रह्य छाचे

2,63,292 1. विधि छाचे

28,200 2 श्रीमान्यायालय

19,919 3 प्रबार तथा विशेष छाचे

76,904 4 बैकिंग लेखा रखने के व्यय

1,20,340 5 लेखा परीक्षा शुल्क

73,700 6 लुटी तथा वेशन अवधारण

2,00,888 7 कार्यालयों की इमारतों / स्टाफ कार्ग का मूल्य-लाग

4,25,152 8 कार्यालयों की इमारतों की मरम्मत व अनुरक्षण

9 अवकाश प्राप्ति हितलाभ

27,11,448 क निगम कर्मचारियों के लिए वेशन आरक्षित निधि

2,21,221 ख क०गा०बा०निगम भवित्व निधि में निगम का अवशाल

11,82,382 ग क०गा०बी० ति० भवित्व निधि में दिया गया व्याज

14,788 घ विनियोग की अमली पर दानि

(—) 17,17,783 उ कम-भवित्व निधि के अनियोगों के शिनियाग द्वारा प्राप्त व्याज

11,000 10 अनुकूला आरक्षित निधि

15,705 11 विविध

42 12 हानियों

36,52,198 योग में अन्य छाचे

1,98,57,796 योग कुल शीर्ष—2 प्रणालन व्यय

3 चिकित्सालय व प्रौष्ठधालय —

24,83,379 1 चिकित्सालय की इमारतों का मूल्यलाग

70,41,072 2 चिकित्सालय/प्रौष्ठधालय की इमारतों की मरम्मत व अनुरक्षण

44,76,927

6,60,68,976

95,24,451 कुल शीर्ष—3 चिकित्सालय तथा प्रौष्ठधालय

4 पूजीगत निर्माण/आपातकालीन आरक्षित निधि

6,46,00,000 1 पूजीगत निर्माण

2,36,00,000 2 आपातकालीन आरक्षित निधि

95,83,121

8,82,00,000 कुल शीर्ष-4-पूजीगत निर्माण/आपातकालीन आरक्षित निधि

8,47,26,599

59,90,70,572 राजस्व लेखा पर कुल व्यय

62,49,05,056

9,47,05,922 व्यय से अधिक आय को तुलन पत्र पर प्राप्ति ले जाना

8,48,14,554

69,37,76,491 भ्रायोग

70,97,19,610

हस्ताक्षरित
पी० एल० गुप्ता,
वित्तीय सलाहकार एवं मूल्य लेखा अधिकारी,
कर्मचारी राज्य बीमा निगम

परिचय

कर्मचारी राज्य

31 मार्च, 1970 को

राशि

योग

पिछला वर्ष (1973-74)	वायित्र			राशि	योग
				रुपये	रुपये
व्यय से अधिक आय का अतिशेष					
51,70,70,431	पिछले तुलनपत्र के अनुसार			58,13,76,353	
9,47,05,922	वर्ष के दौरान संचयन			8,48,14,554	
61,17,76,353					66,61,90,907
(-) 3,04,00,000	कम-पिछले वर्ष के संचयन से भागांकालीन आरक्षित निधि की हस्तान्तरित राशि				
58,13,76,353					66,61,90,907
पूँजीगत निर्माण आरक्षित निधि					
7,26,32,495	आंदि योग			14,01,15,495	
--	व्यय से अधिक आय के अतिशेष से हस्तान्तरित राशि				
6,46,00,000	जमा-वर्ष से किया गया उपबन्ध			6,35,22,960	
28,83,000	विनियोग पर प्राप्त व्याज			67,85,884	
--	कम-वर्ष से किया गया भुगतान				
14,01,15,495					21,04,24,339
स्थायी (अधिक सथा पूर्ण) अपरंगता हितलाभ आरक्षित निधि					
8,82,60,784	पिछले तुलनपत्र के अनुसार			10,01,29,732	
3,03,95,000	वर्ष के दौरान किया गया उपबन्ध			3,42,19,000	
55,07,639	विनियोग से प्राप्त व्याज			76,42,100	
--	विनियोग की बसूनी पर लाभ			1,35,172	
12,41,63,423	हस शीर्ष का आगे जाया गया योग			14,21,26,004	
(-) 2,40,33,691	कम-वर्ष के दौरान अदायगी			(-) 2,60,02,351	
10,01,29,732					11,61,23,653
आरक्षितजान हितलाभ आरक्षित निधि					
3,90,61,803	पिछले तुलनपत्र के अनुसार			4,86,32,421	
1,12,73,000	वर्ष में किया गया उपबन्ध			93,97,000	
85,43,489	विनियोग से प्राप्त व्याज			41,00,346	
--	विनियोग की बसूनी पर लाभ			1,17,785	
5,28,78,292					6,22,47,552
(-) 42,45,871	कम-वर्ष के दौरान अदायगी			(-) 51,13,061	
4,86,32,431					5,71,34,491
कर्मचारी राज्य बीमा निगम भविष्य निधि					
1,96,07,418	पिछले तुलनपत्र के अनुसार			2,19,38,188	
जमा-वर्ष के दौरान आरक्षित राशि					
53,09,068	1. कर्मचारी चन्दा			55,23,706	
2,21,221	2. नियम का प्रशंसादान			2,22,357	
11,82,382	3. व्याज (कर्मचारी सथा निगम के प्रशंसादान पर)			15,92,389	
--	4. महगाई भत्ता जमा			5,16,519	
2,63,20,089	हस मद को आगे जाया गया योग			3,07,93,159	
87,02,54,001	आगे जाया गया योग				1,04,98,73,390

—‘क’

बीमा निगम

जैसा था—तुलनपत्र

पिछला वर्ष
(1973-74)

परिसम्पत्ति

राशि

योग

रुपये

रुपये

रुपये

	भूमि तथा भवन (निगम के पूर्ण रूप से नियंत्री)	
	(क) निगम के वायरलिय के लिये भवन	
1,30,39,647	पिछले तुलनपत्र के अनुसार	1,31,76,888
1,37,241	वर्ष के दौरान संकलन	6,69,305
1,31,76,888		1,38,46,193
20,20,53,822	(ख) चिकित्सालय तथा औषधालय	21,80,26,815
1,59,72,993	पिछले तुलनपत्र के अनुसार	1,94,40,169
21,80,26,815	वर्ष के दौरान संकलन	
25,84,885		23,74,66,984
	(ग) चिकित्सालयों प्राविधि के लिए उपकरण	25,84,885
25,84,885	पिछले तुलनपत्र के अनुसार	
	वर्ष के दौरान संकलन	--
25,84,885		25,84,885
23,37,88,589	भूमि व भवन (निगम तथा राज्य सरकारी द्वारा संयुक्त रूप से ली गई) में निगम को मापा।	25,38,98,062
	(क) चिकित्सालय तथा औषधालय	
9,06,375	पिछले तुलनपत्र के अनुसार	9,47,201
40,826	वर्ष के दौरान संकलन	--
9,47,201		9,47,201
	(ख) चिकित्सालयों प्राविधि के लिये उपकरण	
49,680	पिछले तुलनपत्र पद के अनुसार	49,680
	वर्ष के दौरान संकलन	--
49,680		49,680
9,96,881		9,96,881
	उचित (i) पूँजीगत धर्य के लिए दो गई प्रथम राशि	
7,24,88,856	पिछले तुलनपत्र के अनुसार	6,00,06,749
19,359	जमा—वर्ष के दौरान की गई प्रवायगी	--
(-) 1,25,01,466	कम—समायोजन तथा वसूली	(-) 53,81,595
6,00,06,749		5,46,23,154
	(ii) पूँजीगत विनाश आरक्षित निधि में से दो गई प्रथम राशि	
2,65,88,180	पिछले तुलनपत्र के अनुसार	4,47,37,262
2,21,96,394	जमा—वर्ष के दौरान की गई प्रवायगी	3,96,28,100
(-) 40,47,312	कम—समायोजन तथा वसूली	(-) 1,61,84,926
4,47,37,262		6,81,80,436
10,47,44,011		12,28,06,590
	स्टाफ कारों	
2,78,565	पिछले तुलनपत्र के अनुसार	3,90,759
1,12,194	जमा—वर्ष में की गई प्रवायगी	52,648
3,90,759		4,43,407
33,99,20,239	ग्रामे में जाया गया योग	37,81,43,940

पिछला वर्ष (1973-74)	दायित्व	राशि	योग
		रुपये	रुपये
87,02,54,001	पीछे से लाया गया योग		1,04,98,73,380
2,63,20,089	इन उपशीर्ष के अन्तर्गत पीछे से लाया गया योग	3,07,93,159	
(-) 42,97,074	कम—वर्ष के दौरान की गई अदायगी	(-) 49,48,378	
2,20,23,015		2,58,44,781	
	कम—निम्नलिखित को हस्तान्तरित राशि		
(-) 84,827	1. पेंशन आरक्षित निधि	(-) 1,57,692	
--	2. बिना दावे के जमा	--	
2,19,38,184		2,53,87,089	
	निगम के कार्यालयों की इमारतों (स्टाफ क्वार्टरों महिला) की मूल्यहास आरक्षण निधि		
12,37,459	पिछले तुलनपत्र के अनुसार	14,78,806	
1,52,397	वर्ष में किया गया उपबन्ध	1,80,130	
88,950	विनियोग से प्राप्त व्याज तथा जाम	1,33,151	
14,78,806		17,92,087	
	चिकित्सालयों तथा परीक्षण केन्द्रों में उपकरणों की मूल्यहास आरक्षित निधि		
80,753	पिछले तुलनपत्र के अनुसार	--	
(-) 86,230	वर्ष में किया गया उपबन्ध	--	
5,477	विनियोग से प्राप्त व्याज	--	
--	चिकित्सालयों की इमारतों की मूल्यहास आरक्षित निधि	--	
1,24,66,836	पिछले तुलनपत्र के अनुसार	1,59,32,411	
25,69,608	वर्ष में किया गया उपबन्ध	24,83,087	
8,96,849	विनियोग से प्राप्त व्याज	13,98,485	
(-) 882	विनियोग की वसूली पर लाभ या हानि	9,166	
		1,98,23,149	
	स्टाफ कारों की मूल्यहास आरक्षित निधि		
2,20,582	पिछले तुलनपत्र के अनुसार	2,84,404	
48,491	वर्ष में किया गया उपबन्ध	34,565	
15,331	विनियोग से प्राप्त व्याज	24,993	
2,84,404		3,43,962	
	निगम के कार्यालयों की इमारतों (स्टाफ क्वार्टरों सहित) की मरम्मत व अनुरक्षण आरक्षित निधि		
2,4,50,830	पिछले तुलनपत्र के अनुसार	28,44,143	
4,25,152	वर्ष में किया गया उपबन्ध	4,99,829	
1,15,233	विनियोग से प्राप्त व्याज	1,56,253	
	विनियोग की वसूली पर लाभ	246	
29,91,215		35,00,471	
(-) 1,47,072	कम—वर्ष में की गई अदायगी	(-) 2,30,568	
28,44,143		32,69,903	
	चिकित्सालयों की इमारतों की मरम्मत व अनुरक्षण आरक्षित निधि का लेखा		
3,00,58,017	पिछले तुलनपत्र के अनुसार	3,47,42,825	
70,41,072	वर्ष में किया गया उपबन्ध	71,00,034	
17,88,088	विनियोग से प्राप्त व्याज	24,94,428	
--	विनियोग की वसूली पर लाभ	228	
3,88,87,177	इन शीर्ष के अन्तर्गत आगे से जाया गया योग	4,43,37,515	
9,12,73,953	आगे ने जाया गया योग	1,10,04,89,580	

पिछला वर्ष (1973-74)	परिसम्पत्ति	राशि	योग
		रुपये	रुपये
33,99,20,234	पीछे से लाया गया योग		37,91,43,940
	निगम के प्रधान कार्यालयों के अध्यक्षों को स्थाई अधिकार		
36,442	पिछले तुलनपत्र के अनुसार	41,038	
5,347	जमा—वर्ष में की गई अदायगी	10,063	
41,789		51,101	
(-) 751	कम—वर्ष में की गई असूली	(-) 90	51,011
41,038			
	निगम के कर्मचारियों के स्थानान्तरण के लिये अधिक बेतन अदायगी		
26,045	पिछले तुलनपत्र के अनुसार	18,734	
88,399	जमा—वर्ष के दौरान की गई अदायगी	83,804	
1,14,444		1,02,538	
(-) 95,710	कम—वर्ष के दौरान की गई असूली	(-) 84,952	17,586
18,734			
	निगम के कर्मचारियों के स्थानान्तरण के लिये अधिक बात्रा भत्ता		
73,076	पिछले तुलनपत्र के अनुसार	83,149	
1,16,411	जमा—वर्ष के दौरान की गई अदायगी	1,06,587	
1,89,487		1,89,656	
(-) 1,06,338	कम—वर्ष में की गई असूली	(-) 97,945	91,711
83,149			
	निगम के कर्मचारियों की बाहत घरण के लिये अधिक राशि		
8,89,690	पिछले तुलनपत्र के अनुसार जमा वर्ष	9,62,131	
6,44,463	जमा—वर्ष में दो गई अदायगी	5,79,740	
15,34,153		15,41,871	
(-) 5,72,022	कम—वर्ष के दौरान की गई असूली	(-) 5,34,419	10,07,452
9,62,131			
	निगम के कर्मचारियों को विविध अधिक राशि (त्योहार अधिक राशि)		
8,02,011	पिछले तुलनपत्र के अनुसार	3,63,551	
5,76,404	जमा—वर्ष के दौरान की गई अदायगी	5,07,497	
13,78,415		8,71,048	
(-) 10,14,864	कम—वर्ष के दौरान की गई असूली	(-) 6,21,618	2,49,430
3,63,551			
	मकान निर्माण लेतु अधिक		
16,16,464	पिछले तुलनपत्र के अनुसार	21,23,703	
6,70,750	जमा—वर्ष के दौरान की गई अदायगी	14,87,537	
22,87,214		36,11,240	
(-) 1,63,511	कम—वर्ष के दौरान की गई असूली	(-) 3,14,626	32,96,614
21,23,703			
	राज्य सरकारों की ओर से अधिक राशि की अदायगी		
618	पिछले तुलनपत्र के अनुसार	6,107	
5,683	जमा—वर्ष के दौरान की गई अदायगी	6,191	
6,301		12,298	
(-) 194	कम—वर्ष के दौरान की गई असूली	(-) 5,519	6,779
6,107			
	आगे ले जाया गया योग		38,28,64,523
34,35,18,652			

पिछला वर्ष
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91,27,31,953	पीछे से लाया गया योग इस शीर्ष के अन्तर्गत पीछे से लाया		1,10,04,89,580
3,88,87,177	गया योग	4,43,37,515	
(-) 41,44,352	कम—वर्ष में की गई प्रदायणी	(-) 80,353	
3,47,42,825			4,38,57,162
3,61,62,601	निगम के कर्मचारियों की पेंशन आरक्षित निधि	4,13,37,616	
30,05,106	पिछले तुलनपत्र के अनुसार	46,59,136	
24,80,968	जमा वर्ष में किया गया उपबंध	36,87,266	
—	विनियोग से प्राप्त व्याज	51,960	
4,16,48,678		4,97,35,978	
(-) 3,91,349	कम—वर्ष में की गई प्रदायणी	(-) 5,10,914	
4,12,57,329		4,92,25,064	
80,287	जमा—क.रा.बी. निगम भविष्य निधि से हस्तान्तरित राशि	4,57,692	
4,13,37,616			4,96,82,756
10,000	निगम के कर्मचारियों के लिए अनुकूल आरक्षित निधि	10,000	
11,000	पिछले तुलनपत्र के अनुसार	12,250	
—	वर्ष में किया गया उपबंध		
21,000		22,250	
(-) 11,000	कम—वर्ष के दौरान की गई प्रदायणी	(-) 12,250	
10,000			10,000

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रुपये	रुपये	रुपये
3 4, 35, 18, 652	पीछे से लाया गया योग चिकित्सालयों/शौषधालयों, निगम के कार्यालयों तथा स्टाफ क्वार्टरों की मरम्मत व अनुरक्षण के लिए गज्ज मरकारों, राज्य लाक निर्माण विभाग आदि को अप्रिम राशि क—निगम के कार्यालय	38, 28, 64, 523
7, 03, 241	पिछले तुलनपत्र के अनुसार	8, 38, 038
2, 21, 501	जमा वर्ष में किया गया भुगतान	2, 23, 982
9, 24, 712		10, 62, 020
(-) 86, 704	कम—वर्ष में की गई बसूली/मसायाजन	(-) 1, 26, 601
8, 38, 038		9, 35, 419
61, 46, 956	वा.—चिकित्सालय/शौषधालय/अनैकितियां पिछले तुलनपत्र के अनुसार	65, 04, 817
34, 13, 346	जमा वर्ष में किया गया भुगतान	13, 45, 175
95, 60, 302		78, 49, 992
(-) 30, 55, 485	कम—वर्ष में हुई प्राप्ति	(-) 765
65, 04, 817		78, 49, 227
12, 16, 411	पिछले तुलनपत्र के अनुसार	12, 32, 435
3, 38, 817	जमा वर्ष में किया गया भुगतान	10, 11, 002
15, 55, 228		22, 43, 437
(-) 3, 22, 793	कम—वर्ष में हुई प्राप्ति	(-) 4, 01, 120
12, 32, 435		18, 42, 317

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(1973-74)

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रुपये	रुपये	रुपये
98,88,22,394	पीछे से लाया गया योग आपाकानीन आक्रमित निधि	1,19,40,39,498
3,04,00,000	पिछले वर्ष के सचयत में	5,63,56,000
2,36,00,000	वर्ष में किया गया उपबन्ध	2,12,03,639
23,56,000	विनियोग पर बहुम किया गया व्याज	47,01,033
—	कम—शाय से अधिक व्यय के लिए राजस्व लेखों को हस्तानन्द राशि	
5,63,56,000		8,22,60,672
जमानत जमा		
3,04,271	पिछले तुलन पत्र के अनुमार	2,40,402
96,927	जमा—वर्ष में जमा	3,19,799
4,01,198		5,60,201
(—) 1,60,796	कम—वर्ष में जमानत जमा की प्रति अदायगी	(—) 1,68,291
2,40,402		3,91,910
अन्य पार्टियों को देय बिलो से कटौती		
15,927	पिछले तुलन पत्र के अनुमार	38,214
5,66,101	जमा—वर्ष में आक्रमित राशि	(—) 6,89,878
5,82,028		7,28,092
(—) 5,43,611	कम—वर्ष में किया गया भुगतान	(—) 6,54,262
39,214		73,830
क रा बी.नि भविष्य निधि में अदावी जमा		
8,842	पिछले तुलन पत्र के अनुमार	8,366
4,540	जमा—वर्ष में आक्रमित राशि	(—) 653
13,382		7,713
(—) 5,016	कम—वर्ष में किया गया भुगतान	(—) 1,918
8,366		5,795
विविध जमा		
9,43,977	पिछले तुलन पत्र के अनुमार	17,88,767
(—) 39,291	कम—वर्ष में जमा राशि को प्रति अदायगी	(—) 8,63,156
9,04,686		9,25,611
9,84,081	जमा—वर्ष में प्राप्त जमा	10,93,435
17,88,767		20,19,046

पिछला वर्ष (1973-74)	परिसम्पत्ति	राशि	योग
		रुपये	रुपये
35,20,93,442	पीछे से लाया गया योग ग्राम सरकारी/अन्य पार्टियों को नए पिछले तुलनपत्र के अनुसार		39,34,91,486
2,11,66,667	जमा। वर्ष में किया गया भगतान	2,60,33,333	
60,00,000		54,00,000	
2,71,66,667		3,14,33,334	
(-) 11,33,334	कम—ग्राम सरकारी द्वारा कठुन की वापसी	(-) 11,33,334	
2,60,33,333			3,02,99,999
	प्रेषित धन नवद प्रेषित धन		
(-) 7,10,941	पिछले तुलनपत्र के अनुसार	(-) 66,76,000	
1,33,96,21,237	जमा—वर्ष में समायोजित विकलन	1,34,97,14,531	
1,33,89,10,296		1,34,30,38,531	
(-) 1,34,55,86,296	कम—वर्ष में समायोजित आकलन	(-) 1,34,21,90,470	
(-) 66,76,000			8,48,061
	अन्य प्रेषित धन-विनियम लेखा		
(-) 2,296	पिछले तुलनपत्र के अनुसार	3,796	
3,87,96,376	जमा—वर्ष में विकलन	5,91,67,305	
3,87,91,080		5,91,71,091	
(-) 3,87,90,294	कम—वर्ष में आकलन	(-) 5,92,99,627	
1,786			(-) 1,28,536

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(1973-74)

दायरेक्रम

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1,04,72,54,143 पीछे से जाया गया योग

1,27,87,90,751

पिछला धर्व (1973-74)	परिसम्पत्ति	राशि	योग
		रुपये	रुपये
37,14,55,061	पीछे से लाया गया योग विनियोग लागत पर (1) स्थायी (आंशिक तथा पूर्ण) अपेक्षित वित्तलाभ आरक्षित निधि।		42,45,11,010
8,82,57,929	पिछले तुलनपत्र के अनुसार	10,01,27,929	
2,18,33,000	जमा—बर्बं में किया गया विनियोग	2,62,78,175	
11,00,90,929		12,61,08,104	
(—) 90,63,000	कम—विनियोग की विक्री या परिपाक पर वसूली	(—) 1,02,83,003	
10,01,27,929		11,61,23,101	
3,89,60,507	(2) आवधित वित्तलाभ आरक्षित निधि	4,83,31,507	
1,39,45,300	पिछले तुलनपत्र के अनुसार	1,59,91,400	
5,29,05,807	जमा—बर्बं में किया गया विनियोग	6,46,22,907	
(—) 42,74,300	कम—विनियोग के विक्री या परिपाक पर वसूली	(—) 74,90,615	
4,86,31,507		5,71,32,292	
1,94,86,788	(3) कर्मचारी राज्य भीमा निगम भविष्य निधि	2,19,18,000	
54,63,400	पिछले तुलनपत्र के अनुसार	61,83,200	
2,49,50,188	जमा—बर्बं में किया गया विनियोग	2,80,81,200	
(—) 3,32,188	कम—विनियोग के विक्री या परिपाक पर वसूली	(—) 32,11,200	
2,19,18,000		2,48,70,000	
12,36,509	(4) निगम के कार्यालयों की इमारतों (स्टाफ क्वार्टरों सहित) को मूल्यहास प्रारक्षित निधि	14,76,509	
2,59,500	पिछले तुलनपत्र के अनुसार	3,15,000	
14,96,009	जमा—बर्बं में किया गया विनियोग	17,91,509	
(—) 19,500	कम—विनियोग की विक्री या परिपाक पर वसूली		
14,76,509		17,91,509	
54,36,09,006	आगे ले जाया गया योग	62,44,27,912	

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1,04,72,54,143 पीछे से लाया गया योग

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1,27,87,90,751

पिछला वर्ष (1973-74)	परिसम्पत्ति	राशि	व्रोग
रुपये		रुपये	रुपये
54,36,09,006	पीछे से आया गया योग (5) चिकित्सालय तथा परीक्षा केन्द्रों में उपकरणों की मूल्यहास आरक्षित निधि		62,41,27,912
80,125	पिछले तुलनपत्र के अनुसार	—	—
(—) 80,125	जमा—वर्ष में किया गया विनियोग	—	—
—	कम—विनियोग की बिक्री या परिपाक पर वसूली	—	—
1,24,66,115	(6) चिकित्सालयों की इमारतों का मूल्यहास आरक्षित निधि	1,58,04,359	
37,76,225	पिछले तुलनपत्र के अनुसार	47,23,225	
—	जमा—वर्ष में किया गया विनियोग	—	—
1,62,42,340		2,05,27,584	
(—) 4,37,981	कम—विनियोग की बिक्री या परिपाक पर वसूली	(—) 7,05,059	—
1,58,04 359		1,98,22,525	
2,19,735	(7) स्टाफ कारों का मूल्य आ० निधि	2,83,735	
64,000	पिछले तुलनपत्र के अनुसार	89,100	
—	जमा—वर्ष में किया गया विनियोग	—	—
2,83,735		3,72,835	
—	कम—विनियोग की बिक्री या परिपाक पर वसूली	(—) 30,100	—
2,83,735		3,42,735	
17,50,994	(8) निगम के कार्यालयों की इमारतों (स्टाफ बार्डरों सहित) को मरम्मत व अनुरक्षण आरक्षित निधि	19,29,994	
1,79,000	पिछले तुलनपत्र के अनुसार	5,87,400	
—	जमा—वर्ष में किया गया विनियोग	—	—
19,29,994		24,97,394	
—	कम—विनियोग की बिक्री या परिपाक पर वसूली	(—) 1,97,154	—
19,29,994		23,00,240	
2,39,04,050	(9) चिकित्सालयों की इमारतों की मरम्मत व अनुरक्षण आरक्षित निधि	2,81,37,050	
86,33,700	पिछले तुलनपत्र के अनुसार	78,24,800	
—	जमा—वर्ष में किया गया विनियोग	—	—
3,19,37,750		3,59,61,950	
(—) 38,00,700	कम—विनियोग की बिक्री या परिपाक पर वसूली	(—) 14,572	—
2,81,37,050		3,59,47,278	
3,61,56,581	(10) निगम के कर्मचारियों के लिए पेशन आरक्षित निधि	4,12,31,581	
50,75,000	पिछले तुलनपत्र के अनुसार	1,81,68,200	
—	जमा—वर्ष में किया गया विनियोग	—	—
4,12,31,581		5,93,99,781	
—	कम—विनियोग की बिक्री या परिपाक पर वसूली	(—) 97,41,240	—
4,12,31,581		4,96,58,541	
63,09,95,725	आगे से आया गया योग	7,32,49,231	

पिछला वर्ष (1973-74)	दार्यित्र	राशि	योग
रुपये		रुपये	रुपये
1,04,72,54,143	पीछे से लाया गया योग		1,27,87,90,751

1,04,72,54,143	महायोग	1,27,87,90,751
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नई दिल्ली,
दिनांक 31 मई, 1975

कर्मचारी राज्य
के सेवाओं का वर्ष 1974-75

मैंने कर्मचारी राज्य बीमा निगम के पूर्ववर्ती सेवाओं तथा तुलनपत्र की जाव की है तथा मेंसे जिस सूचना एवं स्पष्टीकरण की आव-
के परिणामस्वरूप मेरी राय मेरी प्रधिकरण सूचना तथा दिये गये स्पष्टीकरण के अनुसार और जैसा कि कर्मचारी राज्य बीमा निगम की पुस्तकों
उद्देश्य को दर्शते हैं।

नई दिल्ली;
दिनांक 2 मध्यम, 1976

पिछला वर्ष (1973-74)	परिसम्पत्ति	राशि	घोग
रुपये	रुपये	रुपये	रुपये
63,09,95,725	पीछे से लाया गया घोग (11) पूजीगत निर्माण आरक्षित निधि — पिछले तुलनपत्र के अनुसार	8,20,28,000	73,24,99,231
8,20,28,000	जमा वर्ष में किया गया विनियोग — कम-विनियोग की बिक्री या परिपाक पर बसूली	8,10,00,000 (---) 5,00,00,000	—
8,20,28,000			11,30,28,000
	(12) आपात्कालीन आरक्षित निधि — पिछले तुलनपत्र के अनुसार	5,60,00,000	—
5,60,00,000	जमा वर्ष में किया गया विनियोग — कम-विनियोग की बिक्री या परिपाक पर बसूली	2,60,00,000 —	—
5,60,00,000			8,20,00,000
21,72,96,000	रामान्य रोकड़ शेष	23,25,00,000	—
19,16,04,000	पिछले तुलनपत्र के अनुसार विनियोग जमा—वर्ष में किया गया विनियोग	19,54,37,000	—
40,89,00,000		42,79,37,000	—
(—) 17,64,00,000	कम-विनियोग की बिक्री या परिपाक पर बसूली	(—) 12,00,00,000	—
23,25,00,000		30,79,37,000	—
15,51,033	हाथ रोकड़	13,72,174	—
4,41,79,385	रंक के पाग रोकड़	4,19,54,346	—
4,57,30,418		4,33,26,520	—
27,82,30,418	कुल रोकड़ अतिशेष	35,12,63,520	—
1,04,72,54,143	महायोग	1,27,87,90,751	—

हस्ताक्षरित
(पी०एन०गुला)
बिहारी मलाहकार एवं मुख्य लेखा अधिकारी
कर्मचारी राज्य बीमा निगम

विभागीय निगम

का लेखा परीक्षा प्रमाण पत्र

एकत्र थी प्राप्त की आग ममग्न लेखा परीक्षा रिपोर्ट में दिये गये विचारों के पालन की शर्त पर मैं प्रमाणित करता हूँ कि मेरे लेखा परीक्षा में दिखाया गया है, के लेखा तथा तुलनपत्र मही प्रकार में बनाये गये हैं और यह कर्मचारी राज्य बीमा निगम की परिस्थिति के मध्ये एवं स्पष्ट हस्ताक्षरित

(जी०बी० सिंह)
महालेखाकार केन्द्रीय राजस्व

कर्मचारी राज्य बीमा निगम के संबंध की वर्ष 1974-75 की सेला परीक्षा रिपोर्ट

(1) सामान्य :—

(क) कर्मचारी राज्य बीमा निगम की स्थापना प्रक्रिया मन् 1949 में कर्मचारी राज्य बीमा अधिनियम, 1948 के अंतर्गत हुई थी। यह अधिनियम जोकि कर्मचारी राज्य बीमा (संशोधन) अधिनियम 1951 तथा 1966 द्वारा मंशोधित किया गया था, उन सभी कारखानों पर, भौतिकी कारखानों को छोड़ कर, लागू होता है, जिसमें 20 या अधिक व्यक्ति बेतन पर काम करते हैं या करते थे और जिनमें विशुद्ध एवं शुद्ध का प्रयोग होता है।

(ख) योजना का विस्तार :

कर्मचारी राज्य बीमा अधिनियम, 1948 की धारा 1(5) के अंतर्गत योजना का विस्तार स्थापनाओं के नए वर्गों के कर्मचारियों पर किया गया था अर्थात्

1. कम विशुद्ध शक्ति का प्रयोग करने वाली फैक्टरियां जिनमें 10 से 19 कर्मचारी काम करते हैं तथा बिना विशुद्ध शक्ति वाली फैक्टरियों जिनमें 20 या अधिक कर्मचारी काम करते हैं; तथा

2. युक्ताने, सिनेमा, थियेटर, रेस्टरां, होटल, मोटर यातायात तथा सभाचार पत्र सम्पादनाएं जिनमें 20 या अधिक कर्मचारी काम करते हैं।

ग्राहक से योजना ग्रान्थ प्रेषण, हैरियाणा, केरल, पंजाब तथा मंच शामिल थेट्रिकल विल्सनी में 30 मार्च, 1975 में शुरू की गई तथा इस ग्रन्थानन्दन में 1.45 लाख कर्मचारी आएंगे।

(ग) योजना के अंतर्गत आने वाले कारखानों तथा कर्मचारियों की संख्या :—

वर्ष 1974-75 में, अधिनियम के उपबन्धों का विस्तार 1439 कारखानों में काम करने वाले लगभग 1.10 लाख कर्मचारियों पर किया गया। 31 मार्च, 1975 तक कारखानों की संख्या, जिन पर अधिनियम का विस्तार हो चुका है, 27,444 थी (25,654 कार्यान्वयन क्षेत्रों में और 1,790 प्रकार्यान्वयन क्षेत्रों में) इनमें 50,50 लाख कर्मचारी (43,85 लाख कार्यान्वयन क्षेत्रों में के कर्मचारियों महिल) कार्य करते हैं। इनमें क०रा०वी० अधिनियम, 1948 की धारा 1(5) के अंतर्गत आने वाले कर्मचारी सम्मिलित नहीं हैं।

(घ) आय तथा व्यय : निगम के वर्ष 1973-74 तथा 1974-75 के आय व व्यय का विवरण नीचे दिया गया है।

आय	1973-74	1974-75	व्यय	1973-74	1974-75
(लाख रुपयों में)			(लाख रुपयों में)		
नियोजक विशेष अवशान	2142	217	1. बीमाकृत व्यक्ति व उनके परिवार (अ) चिकित्सा हितलाभ		
कर्मचारियों का अंशदान	2276	101	(1) चिकित्सा उपचार आदि पर किये गये वर्ष के लिए निगम के अंश का राज्य सरकारों की		
नियोजकों तथा कर्मचारियों का अवशान	2038	6035	अदायगी	2344	2498
विनियोजन में प्राप्त व्याज व लाभाश	227	348	(2) चिकित्सा उपचार व देखरेख पर निगम द्वारा प्रत्यक्ष रूप से किया गया व्यय	126	152
चिकित्सा लाभ पर निगम द्वारा प्रारंभिक रूप से किये गये व्यय में राज्य सरकार का अंश	20	22	(ब) निगम द्वारा प्रत्यक्ष रूप में बीमाकृत व्यक्तियों तथा उनके आविन्दनों को किये गये नकद व अन्य लाभ	2045	1995
विविध (किराया, महसूल तथा कर को मिला कर	235	374	2. प्रेशासन व्यय :		
			क अधीक्षण	250	352

व्यय	1973-74	1974-75	व्यय	1973-74	1974-75
(लाख रुपयों में)			(लाख रुपयों में)		
ख. श्रेत्रीय कार्य	212	264			
ग. अन्य खर्च	037	045			
3. विकासालय व अधिकारीय	095	096			
4. पूँजीगत निर्माण	646	635			
5. आपातकालीन आरक्षण निधि	236	212			
6. व्यय पर व्यय का अनुशेष	917	848			
	6938	7097		6938	7097

(2) अंशदान का बकाया :

मार्च, 1975 में वर्षभारियों और नियोजकों से 30-9-1974 तक के बकाया अंशदान निम्न प्रकार थे। (मार्च 1975 में बकाया अंशदान जो 30-9-73 तक देय थे की स्थिति भी तालिका में दिखाई गई है।)

	30-9-73 तक बकाया	30-9-74 तक बकाया
(लाख रुपयों में)		
नियोजक विशेष अंशदान	1032.99	925.16
कर्मचारियों का अंशदान	371.90	321.63
नियोजकों तथा कर्मचारियों का संयुक्त अंशदान (1-7-73 से प्रारम्भ)	48.07	287.89
	1452.96	1534.68

अंशदान का भुगतान करने वाले 2044 कारबानों में से (मितम्बर 1975) 522 कारबाने प्रत्येक 0.50 लाख रुपये से अधिक के देनवार थे।

देनवार नियोजकों से 30-78 लाख रुपये की इम्पी (31 दिसम्बर, 1975) भुगतान के लिए निष्पावित करनी शेष रह गई थी। जिसका आर्थिक घोरा निम्न प्रकार है :—

	(लाख रुपयों में)
1964-65 तक	5.05
1965-66 तक	0.85
1966-67 तक	3.01
1967-68 तक	3.22
1968-69 तक	8.62
1969-70 तक	3.44
1970-71 तक	1.14
1971-72 तक	.89
1972-73 तक	2.24
1973-74 तक	0.17
1974-75 तक	2.15
शेष :	30.78

(3) अप्रिम

(न) 31 मार्च, 1975 तक राज्य सरकारों तथा केन्द्रीय लोक निर्माण विभाग की विकिसालय, औषधालय तथा ग्रन्थ बहनों के बनाने के लिए दी गई अप्रिम राशि में से 30 अप्रैल, 1976 को 1228 06 लाख रुपये की राशि समायोजन के लिए शेष थी जिसका वार्षिक और नीचे दिया गया है —

अप्रिम देने का वर्ष

1 1960-61 से 1965-66 तक
2 1966-67
3 1967-68
4 1968-69
5 1969-70
6 1970-71
7 1971-72
8 1972-73
9 1973-74
10 1974-75

31-3-75 को समायोजन
में शिए शेष राशि

(लाख रुपयों में)

199	89
76	66
126	16
107	45
46	26
56	04
93	86
67	94
133	11
330	69

1228 06

(ख) सरकारी विभागों, अर्थ-सरकारी संस्थाओं तथा प्राइवेट पार्टियों आदि को सेक्षन-ग्रामीण की पूरति, वर्दी, विधि जूर्म, भवन किराये पर लेने के लिए किराया आदि के लिए दी गई अप्रिम राशि में से 18 76 लाख रुपये समायोजन के लिए आकी थी जिसका वार्षिक विवरण निम्न प्रकार है —

समायोजन के लिए
शेष राशि

अप्रिम देने का वर्ष

1965-66 तक
1966-67 तक
1967-68 तक
1968-69 तक
1969-70 तक
1970-71 तक
1971-72 तक
1972-73 तक
1973-74 तक
1974-75 तक

(लाख रुपयों में)

1	32
0	27
0	83
2	61
1	20
2	42
1	05
0	98
0	44
7	64

18 76

(4) 'बाने पर भगतान का समायोजन

बीमाकृत व्यक्तियों तथा उसके परिवारों को विकिसा हित नाम के व्यय पर निगम के ग्रन्थ की गण्य सरकारों का बाने पर किये गये भुगतान की राशि ग्रन्थी वर्ष 1969-70 से 1973-74 तक की 1310 92 लाख रुपयों की राशि का समायोजन शेष रहता है (31 अगस्त 1976) जिसका विवरण नीचे दिया गया है —

बकाया राशि

(लाख रुपयों में)

सम्बन्धित वर्ष की राशि

1969-70

32 23

1970-71

27 05

सम्पन्नित वर्ष की राशि

बकाया राशि

(लाख रुपयों में)

1971-72	177.79
1972-73	148.10
1973-74	925.75

योग	1,310.92

(5) वार्षिक नेत्रा .

विविध जमा (20.19 लाख)

वैक इग गलती से की गई जमा तथा अवर्गीकृत प्राप्ति 'विविध जमा' शीर्ष के अंतर्गत समायोजित की जाती है। 31 मार्च, 1975 को इन शीर्ष के अन्तर्गत अनिश्चय 20.19 लाख रुपये थी जबकि 31 मार्च, 1974 को यह 17.89 लाख रुपये था।

हस्ताक्षरित

नई दिल्ली :

जी०बी० मिह, महालेखाकार

दिनांक : 2 नवम्बर, 1976

केन्द्रीय राजस्व

ठिप्पणी . 'हिन्दी अनुवाद में किसी प्रकार की भिन्नता होने पर अंग्रेजी में सिद्धित विवरण को ही शुद्ध माना जाये।'

[सं० जी०-25012/3/76-एव आई]

एस० एम० महम्मदामम, उप मंचित

New Delhi, the

S.O. 1979 —In pursuance of section 36 of the Employees' State Insurance Act, 1948 (34 of 1948), the audited accounts of the Emp-

**ACCOUNTS OF THE EMPLOYEES' STATE
INCOME AND EXPENDITURE ACCOUNT**

INCOME

Previous Year (1973-74)	Heads of Account	Amount	Total
Rs		Rs	Rs.
1. Contributions			
20,37,86,214	Employers' & Employees' Shares.	60,34,74,995	
22,41,95,502	Employers' Share only.	2,16,80,542	
22,76,57,964	Employees' Share only.	1,00,74,058	
69,56,39,680	Total Contributions		63,52,29,595
	State Government/Union Territories share towards medical benefits initially incurred by the Corporation.		
19,90,000		22,50,000	22,50,000
Grants-in-Aid			
Other Heads of Revenue			
2,26,70,415	Interest & Dividends.	3,47,90,454	
1,14,512	Compensations	1,35,75,398	
Rents, Rates and Taxes.			
7,75,511	(i) Offices of the Corporation (including Staff Quarters).	5,58,488	
2,14,00,046	(ii) Hospitals, Dispensaries & Staff Quarters.	1,82,59,511	
94,868	Fees, Fines & Forfeitures.	93,042	
10,91,462	Miscellaneous.	29,63,122	
4,61,46,814	Total of Other Heads of Revenue		7,22,40,015
<hr/>			
69,37,76,496	Total Carried over.		70,97,12,610

9th May, 1977

Employees' State Insurance Corporation, together with audit report thereon, for the year 1974-75 are hereby published for general information.

APPENDIX 'A'

INSURANCE CORPORATION FOR THE YEAR 1974-75
For the Year Ended 31st March, 1975

EXPENDITURE

Previous Year (1973-74)	Heads of Account	Amount	Total
Rs.	1. Benefits to Insured Persons & their families.	Rs.	Rs.
	A-Medical Benefits.		
23,44,37,459	(i) Payments to State Governments, etc. as Corporations' Share of their expenses on providing medical treatment and maternity facilities etc.	24,98,12,608	
	Deduct:—Payments to State Govts. towards medi- cal care during the year transferred to the Capital Construction/Medical Reserve Fund.		
23,44,37,459		24,98,12,608	
1,25,98,648	(ii) Medical treatment & care & maternity facilities (expenses incurred direct by the Corporation).	1,51,80,636	
24,70,36,107	Total A-Medical Benefits.		26,49,93,244
	B-Cash Benefits.		
11,87,85,496	(1) Sickness Benefit.	11,35,36,831	
1,11,35,672	(2) Extended Sickness Benefit.	1,14,56,000	
80,51,712	(3) Maternity Benefit.	86,03,268	
2,29,47,535	(4) Disablement Benefit. (a) Temporary.	2,07,65,636	
3,03,95,000	(b) Permanent (Capitalised Value)	3,42,19,000	
1,12,73,000	(5) Dependants' Benefit. (Capitalised Value)	93,97,000	
9,27,997	(6) Funeral Benefit.	8,96,653	
20,35,16,412	Total B-Cash Benefits.		19,88,74,388
	C-Other Benefits.		
52,082	(a) Expenditure on the Rehabilitation of Disabled Insured Persons	74,890	
2,39,841	(b) Medical Boards and Appeal Tribunals.	2,44,176	
96,146	(c) Payments to Insured Persons. (i) Conveyance Charges and/or loss of wages.	1,14,139	
—	(ii) Incidental Charges under family planning.	—	
3,00,000	(d) Grants-in-aid.	—	
2,47,737	(e) Miscellaneous.	2,25,523	
9,35,806	Total C-Other Benefits.		6,58,728
45,14,88,325	Total Benefits to Insured Persons and their families.		46,45,26,360
45,14,88,325	Total Carried Over.		46,45,26,360

Previous Year (1973-74)	Heads of Account	Amount	Total
Rs.		Rs.	
69,37,76,494	Total Brought Forward		70,97,19,610
69,37,76,494	GRAND TOTAL		70,97,19,610

New Delhi
Dated 31st May, 1775.

Previous Year (1973-74)	Heads of Account	Amount	Total
Rs.		Rs.	Rs.
45,14,88,325	Total Brought Forward.		46,45,26,360
	2.—Administration Expenses.		
	A—Superintendence.		
36,404	1. Corporation, Standing Committee, Regional Boards etc.	69,556	
2,06,577	2. Principal Officers.	1,81,013	
27,26,372	3. Other Officers.	36,64,180	
1,51,77,672	4. Ministerial Establishment.	1,97,92,448	
27,00,629	5. Class IV Servants.	35,21,247	
41,69,292	6. Contingencies .	79,34,854	
2,50,16,946	Total A—Superintendence.		3,51,63,298
	B. Field work.		
7,16,919	1. Officers.	9,87,722	
1,59,63,425	2. Ministerial Establishment.	1,99,03,554	
26,34,299	3. Class IV Servants.	33,81,517	
18,74,009	4. Contingencies.	21,55,958	
2,11,88,652	Total B—Field work.		2,64,28,751
	C. Other Charge.		
2,63,292	1. Legal Charges	2,81,330	
28,200	2. Insurance Courts.	29,282	
19,919	3. Publicity & Advertisement Charges.	26,133	
76,904	4. Charges for maintaining Banking Accounts.	61,046	
1,20,340	5. Audit Fees.	1,29,950	
73,700	6. I cave & Pension Contribution.	96,818	
2,00,888	7. Depreciation of Office Building/Staff Cars.	2,14,695	
4,25,152	8. Repairs and Maintenance of Office Buildings.	4,99,829	
	7. Retirement Benefits.		
	(a) Pension Reserve Fund for the Employees of the Corporation.	42,65,343	
27,11,448	(b) Corporations' Contribution toward Employees State Insurance Corporation Provident Fund.	2,22,357	
2,21,221	(c) Interest paid to ESIC Provident Fund.	15,92,389	
11,82,382	(d) Loss on realisation of Investment.	—	
19,788	(e) LESS Interest realised on investments of Provident Fund.		
(—) 17,17,783	Balances.	(—) 29,59,007	
11,000	10. Compassionate Reserve Fund.	12,250	
15,705	11. Miscellaneous.	4,506	
42	12. Losses.	6	
36,52,198	Total C—Other Charges.		44,76,927
4,98,57,796	Total Head 2—Administration Expenses.		6,60,68,976
	3— Hospitals & Dispensaries.		
24,83,379	1. Depreciation of Hospital Buildings.	24,83,087	
70,41,072	2. Repairs & Maintenance of Hospitals/Dispensaries.	71,00,034	
95,24,451	Total Head 3—Hospitals & Dispensaries.		95,83,121
	4—Capital Construction/Emergency Reserve Fund		
6,46,00,000	1. Capital Construction.	6,35,22,960	
2,36,00,000	2. Emergency Reserve Fund.	2,12,03,639	
8,82,00,000	Total Head 4—Capital Construction/Emergency Reserve Fund.		8,47,26,599
59,90,70,572	Total Expenditure on Revenue Account.		62,49,05,056
9,47,05,922	To excess of Income over Expenditure. carried over to Balance Sheet.		8,48,14,554
69,37,76,494	GRAND TOTAL		70,97,19,610

P. L. GUPTA,
FINANCIAL ADVISER & CHIEF ACCOUNTS OFFICER
EMPLOYEES' STATE INSURANCE CORPORATION

**EMPLOYEES' STATE
Balance Sheet as on**

Previous Year (1973-74)	Liabilities	Amount	Total
Rs		Rs	Rs
	Balance of Excess of Income over Expenditure.		
51,70,70,431	As per last Balance Sheet	58,13,76,353	
9,47,05,922	Accumulations during the year	8,48,14,554	
<hr/>		<hr/>	
61,17,76,353		66,61,90,907	
(—)3,04,00,000	LESS Amount transferred to Emergency Reserve Fund from Last Year's Accumulation	—	
<hr/>		<hr/>	
58,13,76,353		66,61,90,907	
	Capital Construction Reserve Fund		
7,26,32,495	Opening Balance	14,01,15,495	
—	Amount transferred from Balance of Excess of Income over Ex- penditure	—	
6,46,00,000	ADD Provision made during the year	6,35,22,960	
28,83,000	Interest received on Investments	67,85,884	
—	LESS Payments made during the year.	—	
<hr/>		<hr/>	
14,01,15,495		21,04,24,339	
	Permanent (Partial and Total) Disablement Benefit Reserve Fund		
8,82,60,784	As per last Balance Sheet.	10,01,29,732	
3,03,95,000	Provision made during the year	3,42,19,000	
55,07,639	Interest received from Investments	76,42,100	
—	Gain on realisation of Investments	1,35,172	
<hr/>		<hr/>	
12,41,63,423		14,21,26,004	
(—)2,40,33,691	LESS Payments made during the year	(—)2,60,02,351	
<hr/>		<hr/>	
10,01,27,732		11,61,23,653	
	Dependants' Benefit Reserve Fund		
3,90,61,803	As per last Balance Sheet.	4,86,32,421	
1,12,73,000	Provision made during the year	93,97,000	
25,43,489	Interest received from Investments	41,00,346	
—	Gain on realisation of Investments	1,17,785	
<hr/>		<hr/>	
5,28,78,292	Total Carried over of this Head	6,22,47,552	
<hr/>		<hr/>	
82,16,21,580	Total Carried Forward.	99,27,38,899	

INSURANCE CORPORATION

31st March, 1975.

Previous Year (1973-74)	Assets	Amount	Total
Rs.		Rs.	Rs.
	Lands and Buildings (wholly owned by the Corporation)		
	(a) Building for Offices of the Corporation.		
1,30,39,647	As per last Balance Sheet	1,31,76,888	
1,37,241	Additions during the year.	6,69,305	
1,31,76,888		1,38,46,193	
	(b) Hospitals and Dispensaries.		
20,20,53,822	As per last Balance Sheet.	21,80,26,815	
1,59,72,993	Additions during the year.	1,94,40,169	
21,80,26,815		23,74,66,984	
25,84,885	(c) Equipments for Hospitals etc.	25,84,885	
—	As per last Balance Sheet.		
	Additions during the year.		
25,84,885		25,84,885	
23,37,88,588			25,38,98,062
	Lands and Buildings (Jointly owned by the Corporation and State Governments)		
	Corporations Share.		
	(a) Hospitals and Dispensaries.		
9,06,375	As per last Balance Sheet.	9,47,201	
40,826	Additions during the year.	—	
9,47,201		9,47,201	
49,680	(b) Equipments for Hospitals etc.	49,680	
—	As per last Balance Sheet.		
	Additions during the year.		
49,680		49,680	
9,96,881			9,96,881
	Suspense (i) Amount Advanced for Capital Expenditure.		
7,24,88,856	As per Last Balance Sheet	6,00,06,749	
19,359	ADD Payments made during the year.	—	
(-->)1,25,01,466	LESS Adjustments & Recoveries.	(-->)53,81,595	
6,00,06,749		5,46,25,154	
23,47,85,469	Total Carried Over.		25,48,94,943

Previous Year (1973-74)	Liabilities	Amount	Total
Rs.		Rs.	
82,16,21,580	Total Brought Forward.	99,27,38,899	
5,28,78,292	Total Brought Forward of the Sub-Head.	6,22,47,552	
(-)42,45,871	LESS Payments made during the year.	(-)51,13,061	
4,86,32,421			5,71,34,491
1,96,07,418	Employees' State Insurance Corporation Provident Fund. As per last Balance Sheet.	2,19,38,188	
53,09,068	ADD amount credited during the year.		
2,21,221	(i) Employees' Subscription.	65,23,706	
11,82,382	(ii) Corporation's Contribution.	2,22,357	
—	(iii) Interest on (Employees' and Corporation's Shares).	15,92,389	
—	(iv) D.A. Deposits.	5,16,519	
2,63,20,089		3,07,93,159	
(-)42,97,074	LESS Payments made during the year.	(-)49,48,378	
2,20,23,015		2,58,44,781	
(-)84,827	LESS amount transferred to :— (i) Pension Reserve Fund.	(-)4,57,692	
—	(ii) Unclaimed deposit.	—	
2,19,38,188			2,53,87,089
12,37,459	Depreciation Reserve Fund of Buildings for the Offices of the Corporation (including Staff Quarters)		
1,52,397	As per last Balance Sheet.	14,78,806	
88,950	Provision made during the year.	1,80,130	
14,78,806	Interest and gain received from investments.	1,33,151	
			17,92,087
89,36,70,995	Total Carried Over.	1,07,70,52,566	

Previous Year (1973-74)	Assets	Amount	Total
Rs.		Rs.	Rs.
23,47,85,469	Total Brought Forward (ii) Amount advanced from Capital Construction Reserve Fund.		25,48,94,943
2,65,88,180	As per last Balance Sheet.	4,47,37,262	
2,21,96,394	ADD Payments made during the year.	3,96,28,100	
(—)40,47,312	LESS Adjustments and Recoveries.	(—)1,61,84,926	
4,47,37,262		6,81,80,436	
10,47,44,011	Staff Cars. As per last Balance Sheet.	3,90,759	12,28,05,590
1,12,194	ADD Payments made during the year.	52,648	
3,90,759			4,43,407
36,442	Permanent Advance to the Heads of Offices of the Corporation.	41,038	
5,347	As per last balance Sheet.	10,063	
41,789	ADD Payments made during the year.		
(—)751	LESS Recoveries made during the year.	51,101 (—)90	
41,038			51,011
26,045	Advance of Pay on transfer to the Employees of the Corporation.	18,734	
88,399	As per last Balance Sheet.	83,804	
1,14,444	ADD Payments made during the year.		
(—)95,710	LESS Recoveries made during the year.	1,02,538 (—)84,952	
18,734			17,586
73,076	Advance of T.A. on transfer to the Employees of the Corporation.	83,149	
1,16,411	As per last Balance Sheet.	1,06,507	
1,89,487	ADD Payments made during the year.		
(—)1,06,338	LESS Recoveries made during the year.	1,89,656 (—)97,945	
83,149			91,711
34,00,63,160	Total Carried Over.		37,83,04,248

Previous Year (1973-74)	Liabilities	Amount	Total
Rs.		Rs.	Rs.
89,36,70,995	Total Brought Forward.		1,07,70,52,566
	Depreciation Reserve Fund of Equipments in Hospitals and Examination Centres.		
80,753	As per last Balance Sheet.	—	
(—)86,230	Provision made during the year.	—	
5,477	Interest received from investments	—	
	Depreciation Reserve Fund of Hospital Buildings.		
1,24,66,836	As per last Balance Sheet.	1,59,32,411	
25,69,608	Provision made during the year.	24,83,087	
8,96,849	Interest received from Investments.	13,98,485	
(—)882	Less or Gain on realisation of investments.	9,166	
1,59,32,411			1,98,23,14 9
	Depreciation Reserve Fund of Staff Cars.		
2,20,582	As per last Balance Sheet.	2,84,404	
48,491	Provision made during the year.	34,565	
15,331	Interest received from investments.	24,993	
2,84,404			3,43,962
	Repairs & Maintenance Reserve Fund of Buildings for the Offices of the Corporation. (including Staff Quarters).		
24,50,830	As per last Balance Sheet.	28,44,143	
4,25,152	Provision made during the year.	4,99,829	
1,15,233	Interest received from Investments.	1,56,253	
	Gain on realisation of investments.	246	
29,91,215		35,00,471	
(—) 1,47,072	LESS Payments made during the year.	(—)2,30,568	
28,44,143			32,69,903
	Repairs & Maintenance Reserve Fund Account of Hospital Buildings.		
3,00,58,017	As per last Balance Sheet.	3,47,42,825	
70,41,072	Provision made during the year.	71,00,034	
17,88,088	Interest received from Investments.	24,94,428	
—	Gain on realisation of Investments.	228	
3,88,87,177	Total Carried over of this Head	4,43,37,515	
91,27,31,953	Total Carried over.	1,10,04,89,580	

Previous Year (1973-74)	Assets	Amount	Total
Rs.		Rs.	
34,00,63,160	Total Brought Forward.		37,83,04,248
	Advance for the purchase of Conveyance to the Employees of the Corporation.		
8,89,690	As per last Balance Sheet.	9,62,131	
6,44,463	ADD Payments made during the year.	5,79,740	
15,34,153		15,41,871	
(—) 5,72,022	LESS Recoveries made during the year.	(—) 5,34,419	
9,62,131			10,07,452
	Miscellaneous Advances to the Employees of the Corporation (Festival Advances).		
8,02,011	As per Last Balance Sheet.	3,63,551	
5,76,404	ADD Payments made during the year.	5,07,497	
13,78,415		8,71,048	
(—) 10,14,864	LESS Recoveries made during the year.	(—) 6,21,618	
3,63,551			2,49,430
	House Building Advance.		
16,16,464	As per Last Balance Sheet.	21,23,703	
6,70,750	ADD Payments made during the year.	14,87,537	
22,87,214		36,11,240	
(—) 1,63,511	LESS Recoveries made during the year.	(—) 3,14,626	
21,23,703			32,96,614
	Advance Payments on behalf of State Governments.		
618	As per last Balance Sheet.	6,107	
5,683	ADD Payments made during the year.	6,191	
6,301		12,298	
(—) 194	LESS Recoveries made during the year.	(—) 519	
6,107			6,779
	Amount advanced to State Govt./State P.W.D. etc. towards Repairs and Maintenance of Hospitals/Dispensaries. Offices of the Corporation and Staff Quarters.		
	(a) Offices of the Corporation.		
7,03,241	As per last Balance Sheet.	8,38,038	
2,21,501	ADD Payments made during the year.	2,23,982	
9,24,742		10,62,020	
(—) 86,704	LESS Recoveries/Adjustments made during the year.	(—) 1,26,601	
8,38,038			9,35,419
34,43,56,690	Total Carried over.		38,37,99,942

Previous Year (1973-74)	Liabilities	Amount	Total
Rs.		Rs.	Rs.
91,27,31,953	Total Brought Forward.		1,10,04,89,580
3,88,87,117	Total Brought Forward of this Head.	4,43,37,515	
(—) 41,44,352	LESS Payments made during the year.	(—) 4,80,353	
3,47,42,825			4,38,57,162
	Pension Reserve Fund for the Employees of the Corporation.		
3,61,62,604	As per last Balance Sheet.	4,13,37,616	
30,05,106	Provision made during the year.	46,59,136	
24,80,968	Interest received from Investments.	36,87,266	
—	Gain on realisation of Investments.	51,960	
4,16,48,678		4,97,35,978	
(—) 3,91,349	LESS Payments made during the year.	(—) 5,10,914	
4,12,57,329		4,92,25,064	
80,287	ADD Amount transferred from ESIC Provident Fund.	4,57,692	
4,13,37,616			4,96,82,756
	Compassionate Reserve Fund for the Employees of the Corporation.		
10,000	As per last Balance Sheet.	10,000	
11,000	Provision made during the year.	12,250	
21,000		22,250	
(—) 11,000	LESS Payments made during the year.	(—) 12,250	
10,000			10,000
3,04,00,000	Emergency Reserve Fund from last year's accumulation.	5,63,56,000	
2,36,00,000	Provision made during the year.	2,12,03,639	
23,56,000	Interest realised on investment.	47,01,033	
—	LESS amount transferred to the Revenue Account for meeting the Excess of Expenditure over the Income.		
5,63,56,000			8,22,60,672
	Deposits of Securities.		
3,04,271	As per last Balance Sheet.	2,40,402	
96,927	ADD Deposits during the year.	3,19,799	
4,01,198		5,60,201	
(—) 1,60,796	LESS Deposits repaid during the year.	(—) 1,68,291	
2,40,402			3,91,910
1,04,54,18,796	Total Carried Over.		1,27,66,92,080

Previous Year (1973-74)	Assets	Amount	Total
Rs.		Rs.	Rs.
34,43,56,690	Total Brought Forward. (b) Hospitals/Dispensaries/Annexes.	38,37,99,942	
61,46,956	As per last Balance Sheet.	65,04,817	
34,13,346	ADD Payments made during the year.	13,45,175	
95,60,302		78,49,992	
(--) 30,55,485	LESS Receipts during the year.	(--) 765	
65,04,817	Miscellaneous Advances.	78,49,227	
12,16,411	As per last Balance Sheet.	12,32,435	
3,38,817	ADD Payments made during the year.	10,11,002	
15,55,228		22,43,437	
(--) 3,22,793	LESS Receipts during the year.	(--) 4,01,120	
12,32,435		18,42,317	
2,11,66,667	Loans to State Governments/Other Parties.		
60,00,000	As per last Balance Sheet.	2,60,33,333	
	ADD Payments made during the year.	54,00,000	
2,71,66,667		3,14,33,333	
(--) 11,33,334	LESS amount refunded by State Governments.	(--) 11,33,334	
2,60,33,333		3,02,99,999	
	Remittances.		
	Cash Remittances.		
(--) 7,10,941	As per last Balance Sheet.	(--) 66,76,000	
1,33,96,21,237	ADD Debits adjusted during the year.	1,34,97,14,531	
1,33,89,10,296		1,34,30,38,531	
(--) 1,34,55,86,296	LESS credits adjusted during the year.	(--) 1,34,21,90,470	
(--) 66,76,000		8,48,061	
(--) 2,296	Other Remittances-Exchange Account.		
3,87,96,376	As per last Balance Sheet.	3,786	
	ADD Debits during the year.	5,91,67,305	
3,87,94,080		5,91,71,091	
(--) 3,87,90,294	LESS Credits during the year.	(--) 5,92,99,627	
3,786		(--) 1,28,536	
37,14,55,061	Total Carried Over.	42,45,11,010	

Previous Year (1973-74)	Liabilities	Amount	Total
Rs.		Rs.	Rs.
1,04,54,18,796	Total Brought Forward		1,27,66,92,080
	Deduction from Bills Payable to Other Parties.		
15,927	As per last Balance Sheet.	38,214	
5,66,101	ADD Amount credited during the year.	6,89,878	
5,82,028		7,28,092	
(--) 5,43,814	LESS Payments made during the year.	(--) 6,54,262	
38,214			73,830
	Unclaimed Deposits in the ESIC Provident Fund.		
8,842	As per last Balance Sheet.	8,366	
4,540	ADD Amount credited during the year.	(--) 653	
13,382		7,713	
(--) 5,016	LESS Payments made during the year.	(--) 1,918	
8,366			5,795
	Miscellaneous Deposits.		
9,43,977	As per last Balance Sheet.	17,88,767	
(--) 39,291	LESS Deposits repaid during the year.	(--) 8,63,156	
9,04,686		9,25,611	
8,84,081	ADD Deposits received during the year.	10,93,435	
17,88,767			20,19,046

1,04,72,34,143 Total Carried Over

1,27,87,90,751

Previous Year (1973-74)	Assets	Amount	Total
Rs.	Rs.		
37,14,55,061	Total Brought Forward. Investments at Cost. (1) Permanent (Partial & Total) Disability Benefit Reserve Fund. 8,82,57,929 As per Last Balance Sheet. 2,18,33,000 ADD Investments made during the year.	10,01,27,929 2,62,78,175	42,45,11,010
11,00,90,929 (—) 99,63,000	LESS Realisation on Maturity or Sale of Investments.	12,64,06,104 (—) 1,02,83,003	11,61,23,101
10,01,27,929 (2) Dependents' Benefit Reserve Fund. 3,89,60,507 As per last Balance Sheet. 1,39,45,300 ADD Investments made during the year.	4,86,31,507 1,59,91,400		11,61,23,101
5,29,05,807 (—) 42,74,300	LESS Realisation on Maturity or Sale of Investments.	6,46,22,907 (—) 74,90,615	5,71,32,292
4,86,31,507 (3) Employees' State Insurance Corporation Provident Fund. 1,94,86,788 As per last Balance Sheet. 54,63,400 ADD Investments made during the year.	2,19,18,000 61,63,200		2,48,70,000
2,49,50,188 (—) 30,32,188	LESS Realisation on Maturity or Sale of Investments.	2,80,81,200 (—) 32,11,200	2,48,70,000
2,19,18,000 (4) Depreciation Reserve Fund of Buildings for the Offices of the Corporation (including Staff Quarters). 12,36,509 As per last Balance Sheet. 2,59,500 ADD Investments made during the year.	14,76,509 3,15,000		17,91,509
14,96,009 (—) 19,500	LESS Realisation on Maturity or Sale of Investments.	—	17,91,509
14,76,509 (5) Depreciation Reserve Fund of Equipments in Hospitals & Exa- mination Centres. — 80,125 As per last Balance Sheet. (—) 80,125 ADD Investments made during the year.	— — —		17,91,509
— — —	LESS Realisation on Maturity or Sale of Investments.	— — —	17,91,509
54,36,09,006 Total Carried Over.		62,44,27,912	

Previous Year (1973-74)	Liabilities	Amount	Total
Rs.		Rs.	Rs.
1,04,72,54,143	Total Brought Forward.		1,27,87,90,751
1,04,72,54,143	Total Carried Over.		1,27,87,90,751

Previous Year (1973-74)	Assets	Amount	Total
Rs.		Rs.	
54,36,09,005	Total Brought Forward.		62,44,27,912
(6) Depreciation Reserve Fund of Hospital Buildings.			
1,24,66,115	As per Last Balance Sheet.	1,58,04,359	
37,76,225	ADD Investments made during the year.	47,23,225	
1,62,42,340		2,05,27,584	
(-)4,37,981	LESS Realisation on Maturity or Sale of Investments.	(-)7,05,059	
1,58,04,359			1,98,22,525
(7) Depreciation Reserve Fund of Staff Cars.			
2,19,735	As per last Balance Sheet.	2,83,735	
64,000	ADD Investments made during the year.	89,100	
2,83,735		3,72,835	
- LESS Realisation on Maturity or Sale of Investments.		(-)30,100	
2,83,735			3,42,735
(8) Repairs & Maintenance Reserve Fund of Buildings for the Offices of the Corporation (including Staff Quarters)			
17,50,994	As per last Balance Sheet.	19,29,994	
1,79,000	ADD Investments made during the year	5,67,400	
19,29,994		24,97,394	
- LESS Realisation on Maturity or Sale of Investments.		(-)1,97,154	
19,29,994			23,00,240
(9) Repairs & Maintenance Reserve Fund of Hospital Buildings.			
2,39,04,050	As per last Balance Sheet.	2,81,37,050	
80,33,700	ADD Investments made during the year.	78,24,800	
3,19,37,750		3,59,61,850	
(-)38,00,700	LESS Realisation on Maturity or Sale of Investments.	(-)14,572	
2,81,37,050			3,59,47,278
(10) Pension Reserve Fund for the Employees of the Corporation.			
3,61,56,581	As per last Balance Sheet.	4,12,31,581	
50,75,000	ADD Investments made during the year.	1,81,68,200	
4,12,31,581		5,93,99,781	
- LESS Realisation on Maturity or Sale of Investments.		(-)97,41,240	
4,12,31,581			4,96,58,541
63,09,95,725	Total Carried Over.		73,24,99,231

Previous Year (1973-74)	Liabilities	Amount	Total
		Rs.	Rs.
Rs. 1,04,72,54,143	Total Bought Forward.		1,27,87,90,751
1,04,72,54,143	GRAND TOTAL		1,27,87,90,751

New Delhi
Dated 31st May, 1975

AUDIT

I have examined the foregoing accounts and the balance sheet of the Employees' State Insurance Corporation and obtained all the my audit, that in my opinion these accounts and the balance sheet are properly drawn up so as to exhibit a true and fair view of the State Corporation.

New Delhi,
Dated 2nd Nov. 1976

Previous Year (1973-74)	Assets	Amount	Total
Rs.		Rs.	
63,09,95,725	Total Brought Forward.		73,24,99,231
	(11) Capital Construction Reserve Fund.		
—	As Per last Balance Sheet,	8,20,28,000	
8,20,28,000	Investments during the year.	8,10,00,000	
—	Deduct-Realisation on Maturity or Sale of Investments.	(—) 5,00,00,000	
8,20,82,000			11,30,28,000
	(12) Emergency Reserve Fund.		
—	As per last Balance Sheet,	5,60,00,000	
5,60,00,000	Investments during the year.	2,60,00,000	
	Deduct-Realisation on Maturity or Sale of Investments.		
5,60,00,000			8,20,00,000
	General Cash Balance.		
21,72,96,000	Investments as per last Balance Sheet.	23,25,00,000	
19,16,04,000	ADD Investments made during the year.	19,54,37,000	
40,89,00,000			42,79,37,000
(—) 17,64,00,000	LESS Realisation on Maturity or Sale of Investments.	(—) 12,00,00,000	
23,25,00,000			30,79,37,000
15,51,033	Cash in hand.	13,72,174	
4,41,79,385	Cash with Bankers.	4,19,54,346	
4,57,30,418			4,33,26,520
27,82,30,418	Total Cash Balance.		35,12,63,520
1,04,72,54,143	GRAND TOTAL		1,27,87,90,751

(P.L. GUPTA)
FINANCIAL ADVISER & CHIEF ACCOUNTS OFFICER

CERTIFICATE

information and explanations that I have required and subject to the observations in the Audit Report appended, I certify, as a result of affairs of the Corporation according to the best of my information and explanations given to me and as shown by the books of the

Sd/-
(G.B. SINGH)
Accountant General, Central Revenues.

APPENDIX 'C'

AUDIT REPORT ON THE EMPLOYEES' STATE INSURANCE CORPORATION FOR THE YEAR
1974-75.

Consolidated Audit Report on the accounts of the E.S.I. Corporation for the year 1974-75 received through the Ministry of Labour New Delhi on 16-11-1976 alongwith Accountant General, Central Revenue's confidential letter No. OAI/13-ESIC/AR/75-76/949 dated 5-11-1976.

1. General.

(i) The Employees' State Insurance Corporation was set up in October, 1948 under the Employees' State Insurance Act, 1948. The Act as amended by Employees' State Insurance (Amendment) Acts of 1951 and 1966 applies to all factories, other than seasonal factories, which use power and where 20 or more persons are or were employed for wages.

(ii) Extension of Scheme.

The Scheme under Section 1(5) of the Employees' State Insurance Act, 1948 was extended to cover employees in the new classes of establishment namely:-

- (a) small power-using factories employing 10—19 persons and non-power using factories employing 20 or more persons, and
- (b) shops, cinemas, theatres, restaurants, hotels, motor transport and newspaper establishments employing 20 or more persons.

The scheme has been initially introduced in different centres in the States of Andhra Pradesh, Haryana, Kerala, Punjab and in the Union Territory of Delhi from 30th March, 1975 and it was estimated to cover about 1.45 lakh employees.

(iii) Coverage.

During 1974-75, the provisions of the Act were extended to 1439 factories covering about 1.10 lakh employees. The number of factories covered by Act on 31st March, 1975 was 27,444 (25,654 in implemented areas and 1,790 in non-implemented areas) having 50,50 lakh employees (including 43.85 lakhs in implemented areas). This does not include coverage under Section 1(5) of the Employee's State Insurance Act, 1948.

(iv) Income and Expenditure.

An analysis of the income and expenditure of the Corporation for 1973-74 and 1974-75 is given below—

	Income		Expenditure	
	1973-74	1974-75	1973-74	1974-75
Employers' Special Contribution.	2,142	217	1. Benefits to Insured persons and their families.	(lakhs of rupees)
Employees' Contribution.	2,276	101	A—Medical benefits.	
Employers' and Employees share	2,038	6,035	(i) Payments to State Govt. as Corporation's share of their expenses on providing medical treatment and maternity facilities etc.	2,344
Interest and dividends from investments.	227	348	(ii) Medical treatment and care and maternity benefits expenses incurred directly by the Corporation.	2,498
State Governments share towards medical benefits initially borne by the Corporation.	20	22	126	152
Miscellaneous including rents, rates and taxes.	235	374	B—Cash and other benefits to insured their dependents paid directly by the Corporation.	2,045
			2. Administrative Expenses.	1,995
			A. Superintendence	250
			B. Field Work	212
			C. Other charges	037
			3. Hospital and Dispensaries.	095
			4. Capital construction.	646
			5. Emergency Reserve Fund.	236
			6. Excess of income over expenditure	947
	<u>6,938</u>	<u>7,097</u>		<u>6,938</u>
				<u>7,097</u>

2. Arrears of Contribution.

In March, 1975 arrears of contribution due from the employees and employers upto 30th September, 1974 were as follows (The position in March, 1975 of arrears of contribution, which became due upto 30th September, 1973 is also indicated in the table).

	Due upto 30-9-73	Due upto 30-9-74
Employers' Special Contribution.	(lakhs of rupees)	
Employees' Contribution.	1,032.99	925.16
Employers' + Employees' combined contribution, (started w.e.f. 1-7-73).	371.90	321.63
	48.07	287.8
	<u>1,452.96</u>	<u>1,534.68</u>

Out of 2044 factories defaulting in the payment of contribution, 522 factories were in default (September, 75) for more than Rs. 0.50 lakh each.

Decrees for Rs. 30.78 lakhs (year-wise details given below) remained to be executed (31st Dec., 1975) against employer.

Up to	Lakhs of rupees
1964-65	5.05
1965-66	0.85
1966-67	3.01
1967-68	3.22
1968-69	8.62
1969-70	3.44
1970-71	1.14
1971-72	0.89
1972-73	2.24
1973-74	0.17
1974-75	2.15
	30.78

3. Advances.

(i) Out of the amounts advanced to State Governments and Central Public Works Department upto 31st March, 1975 for constitution of hospitals, dispensaries and other buildings Rs. 1228.06 lakhs (year-wise break up given below) remained unadjusted on 30th April 1976.

Year in which advance was paid	Remaining un-adjusted as on 31-3-1975 (lakhs of rupees)
1960-61 to 1965-66	189.89
1966-67	76.66
1967-68	126.16
1968-69	107.45
1969-70	46.26
1970-71	56.04
1971-72	93.86
1972-73	67.94
1973-74	133.11
1974-75	330.69
	1,228.06

(ii) Out of amounts advanced to the Government Departments, Semi-Government Organisations and private parties on account of supply of stationery, liveries, law charges, rent for hiring accommodation, etc. Rs. 18.76 lakhs (year-wise details given below) remained unadjusted.

Year in which advance was paid	Unadjusted Amount (Rs. in lakhs)
1965-66	1.32
1966-67	0.27
1967-68	0.83
1968-69	2.61
1969-70	1.20
1970-71	2.42
1971-72	1.05
1972-73	0.98
1973-74	0.44
1974-75	7.64
	18.76

4. Adjustment of 'On Account' payment.

Out of 'On Account' payments made to State Governments upto 31st March, 1975 as Corporation's share towards cost of medical benefits of insured persons and their families Rs. 1310.92 lakhs (detailed below) relating to the year 1969-70 to 1973-74 were awaiting adjustment (31st August, 1976).

Year in which amount pertains	Balance outstanding (in lakhs of rupees)
1969-70	32.23
1970-71	27.05
1971-72	177.79
1972-73	148.10
1973-74	925.75
	1310.92

5. Annual Accounts—Misc. Deposit Rs. 20.19 lakhs.

Erroneous credits forwarded by the banks and unclassified receipts are adjusted under the head "Miscellaneous Deposits". The balance under this head on 31st March, 1975 was Rs. 20.19 lakhs as compared to Rs. 17.89 lakhs on 31st March, 1974.

Sd/-

New Delhi,
Dated 2 November, 1976.

G. B. SINGH,
Accountant General, Central Revenue
[No. G-25012/3/76-HI]
S. S. S AHASRANAMAN, Dy. Secy

नौकरी और परिवहन मंत्रालय

(संदर्भ पत्र)

नई दिल्ली, 25 मई, 1977

का० प्रा० 1980.—गण्डीय राजमार्ग, अधिनियम, 1956 (1956 का 48) की धारा 2 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय संचार एवं द्वारा गण्डीय राजमार्ग सं० 1-क पर बटोरे में अपने जंक्शन से गुरु होने वाले और किस्तबार को ढोड़ा से मिलाने वाले राजमार्ग का गण्डीय राजमार्ग घोषित करती है।

उक्त राजमार्ग, जिसे अब गण्डीय राजमार्ग घोषित किया जाना है, को उक्त अधिनियम की अनुसन्धी में कम मध्या 2-क पर गण्डीय राजमार्ग संख्या 1-व निर्दिष्ट किया गुप्त रूप संकेत जाए।

[मा० पी० एन०-५(३)/७७]

जगदेव मिह मार्गिया, महानियेशक

MINISTRY OF SHIPPING AND TRANSPORT
(Roads Wing)

New Delhi, the 25th May, 1977

S.O. 1980.—In exercise of the powers conferred by sub-section (2) of section 2 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby declares the highway starting from its junction at Botole on National Highway No. 1-A and connecting Doda with Kishtwar to be a national highway.

The said highway now declared to be a national highway shall be deemed to be specified in the Schedule to the aforesaid Act at Serial No. 2-A as National Highway No. 1-B.

[No. PL-5(3)/77]

J. S. MARYA,
Director General (Road Development)
and Additional Secy.

विल्सी विकास प्राधिकरण

सार्वजनिक सूचना

नई दिल्ली, 11 जून, 1977

का० प्रा० 1981.—केंद्रीय राजमार्ग दिल्ली मुल्य योजना में निम्न निखित सशोधन करने का किचार कर रही है जिसे सार्वजनिक सूचना के लिये प्रकाशित किया जाता है। इस सशोधन के सम्बन्ध में यदि किसी स्वाक्षित को आपत्ति या सुमात्रा देना हो तो वे अपने आपत्ति या सूमात्रा इस शापन के 30 दिन के भीतर सचिव, दिल्ली विकास प्राधिकरण, ग्यारहवीं मणिल, विकास भीतार, इन्द्रप्रस्था इस्टेट, नई विल्सी के पास

निखित रूप में भेज दें। जो व्यक्ति अपनी आपत्ति अथवा सुमात्रा दें वे अपना नाम एवं पूरा पता भी लिखें।

मंशोधन

8.09 हें० (20 एकड़) का क्षेत्र जो मुख्य योजना में 'आवासीय उपयोग' हेतु निर्धारित है तथा जोन एफ० 17 (मदनगीर) में पड़ता है, जो उत्तर में मनोरजन क्षेत्र, पूर्व तथा दक्षिण में आवासीय क्षेत्र तथा पश्चिम में 150' और्डी मटक (जो आहरी रिंग रोड की मध्यरीली बद्रपुर रोड से मिलाती है) द्वारा विभाग हुआ है। इसे अब 'मरकारी उपयोग' (मन्दीय ग्रामकार के कार्यालयों) में परिवर्तित किये जाने का प्रस्ताव है।

2. मनिवार को छोड़कर और मध्यी कार्यालय दिल्ली में दिल्ली विकास प्राधिकरण के कार्यालय, ग्यारहवीं मणिल, विकास भीतार, इन्द्रप्रस्था इस्टेट, नई दिल्ली में उक्त अवधि में जाकर प्रमाणित मंशोधन के मानचित्र का निरीक्षण किया जा सकता है।

[मा० एफ० 16(110)/72-एम० पी०]
पा० क० बी० मिह, सचिव

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 11th June, 1977

S.O. 1981.—The following modification, which the Central Government proposes to make to the Master Plan for Delhi, is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send his objection or suggestion in writing to the Secretary, Delhi Development Authority, 11th Floor, Vikas Minar, Indraprastha Estate, New Delhi, within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and address.

MODIFICATION :

The land use of an area measuring 8.09 hectares (20 acres), earmarked for 'residential use' in the Master Plan, falling in Zone F-17 (Madangir), bounded by recreational area in the north, residential area in the east and south and 150 ft. wide road in the west (connecting Outer Ring Road with Mehrauli-Badarpur Road), is proposed to be changed to 'governmental use' (Central Government Offices).

2. The plan indicating the proposed modification will be available for inspection at the office of the Authority, 11th Floor, Vikas Minar, Indraprastha Estate, New Delhi, on all working days except Saturdays, within the period referred to above.

[No. F. 16(110)/72-M.P.]
P. K. B. SINGH, Secy.